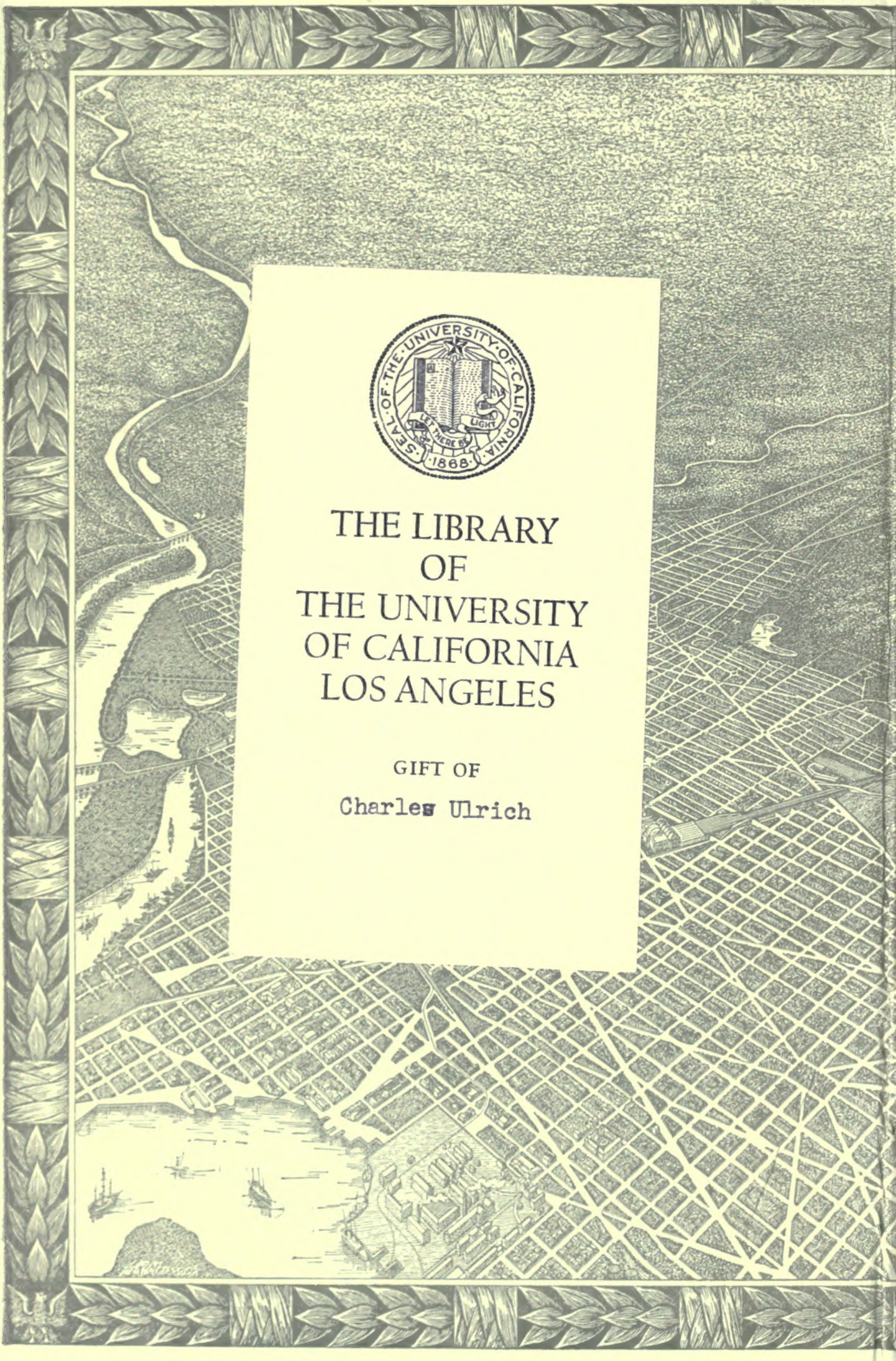
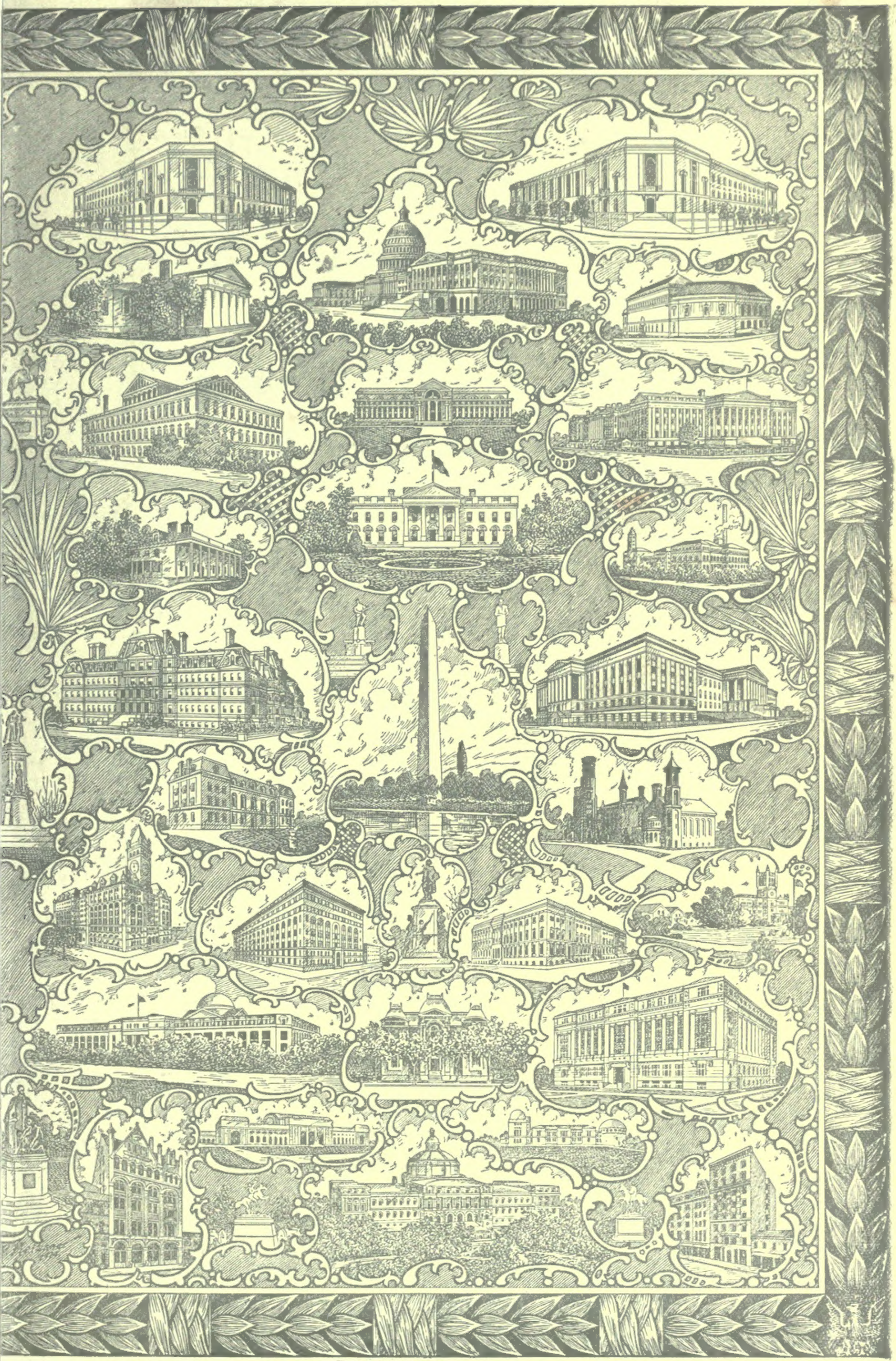
E PLURIBUS UNUM
THE PRESIDENTS



1868

THE LIBRARY
OF
THE UNIVERSITY
OF CALIFORNIA
LOS ANGELES

GIFT OF
Charles Ulrich



Digitized by the Internet Archive
in 2007 with funding from
Microsoft Corporation

http://www.archive.org/details/messagespaperspr02unitiala

COPYRIGHT 1909 BY BUREAU OF
NATIONAL LITERATURE AND ART

Capitol

A COMPILATION

OF THE

MESSAGES AND PAPERS

OF THE

PRESIDENTS

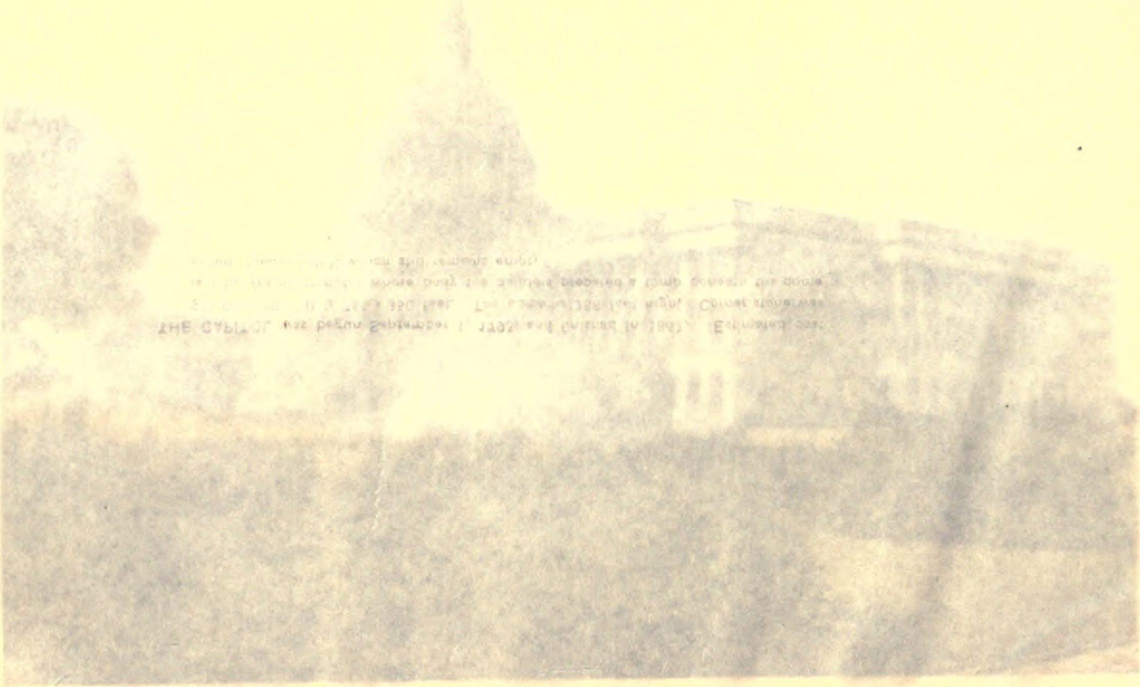
Prepared Under the Direction of the Joint Committee
on Printing, of the House and Senate
Pursuant to an Act of the Fifty-Second Congress
of the United States

[illegible] Additions and Encyclopedic Index
by Private Enterprise

VOLUME II

PUBLISHED BY
BUREAU OF NATIONAL LITERATURE, [illegible]
NEW YORK

THE CAPITOL was begun September 1, 1793, and finished in 1863. Estimated cost $15,000,000. It is 751 x 350 feet. The dome is 288 feet high. Corner-stone was laid by Washington, for whose body the builders prepared a tomb beneath the dome called "undercroft," which still remains empty.



COPYRIGHT [illegible] BY BUREAU OF
NATIONAL LITERATURE AND ART

Capitol

A COMPILATION

OF THE

MESSAGES AND PAPERS

OF THE

PRESIDENTS

Prepared Under the Direction of the Joint Committee
on Printing, of the House and Senate,
Pursuant to an Act of the Fifty-Second Congress
of the United States

(With Additions and Encyclopedic Index
by Private Enterprise)

VOLUME II

PUBLISHED BY
BUREAU OF NATIONAL LITERATURE, Inc.
NEW YORK

Copyright, 1897
BY
JAMES D. RICHARDSON

College
Library
J
81
B97
1897
V 2

ILLUSTRATIONS IN VOLUME TWO

PAGE
The Capitol at Washington . . . . . *Frontispiece*
James Madison (*portrait*) . . . . 449 B
(*Sketch of his home on tissue*)
Dorothy Paine Madison (*portrait*) . . . . 449 D
The Battle of Tippecanoe 457
Perry at Lake Erie 489
The Battle Between the Constitution and the Guerriere . . 505
The Essex Being Cut to Pieces 521
The Unfinished Capitol Burned by the British, 1814 . . . 537
Buffalo, New York, 1815 553
The Battle of the Thames—Death of Tecumseh 569
James Monroe (*portrait*). . . . . 571 B
(*Sketch of his home on tissue*)
Elizabeth Kortright Monroe (*portrait*) . . . . . . 571 D
The Battles of Plattsburg and Lake Champlain 583
The Battle of Lundy's Lane 599
The Battle of New Orleans 615
Death of Captain Lawrence of the Chesapeake 647
Battle of Chippewa Plains, Canada, 1814 679
White House—East Room 711
Facsimile of Letter of Monroe to a Friend 759
Facsimile of Page of Monroe Doctrine 791
White House—The State Dining Room 823
John Quincy Adams (*portrait*) . . . . 856 B
(*Sketch of his Braintree home on tissue*)
Louisa Catherine Adams (*portrait*) . . . . 856 D
The Vanguard of Western Expansion 900

1061004

selves to fixed habitations whenever they are so disposed. The establishment of towns and growing attachments to them will furnish in some degree pledges of their peaceable and friendly conduct. The case of this particular tribe is now submitted to the consideration of Congress.

TH: JEFFERSON.

JANUARY 6, 1809.

To the Senate and House of Representatives of the United States:

I now lay before Congress a statement of the works of defense which it has been thought necessary to provide in the first instance for the security of our seaport towns and harbors, and of the progress toward their completion. Their extent has been adapted to the scale of the appropriation and to the circumstances of the several places.

The works undertaken at New York are calculated to annoy and endanger any naval force which shall enter the harbor, and, still more, one which should attempt to lie before the city. To prevent altogether the entrance of large vessels, a line of blocks across the harbor has been contemplated, and would, as is believed, with the auxiliary means already provided, render that city safe against naval enterprise. The expense as well as the importance of the work renders it a subject proper for the special consideration of Congress.

At New Orleans two separate systems of defense are necessary—the one for the river, the other for the lake, which at present can give no aid to one another. The canal now leading from the lake, if continued into the river, would enable the armed vessels in both stations to unite, and to meet in conjunction an attack from either side. Half the aggregate force would then have the same effect as the whole, or the same force double the effect of what either can now have. It would also enable the vessels stationed in the lake when attacked by superior force to retire to a safer position in the river. The same considerations of expense and importance render this also a question for the special decision of Congress.

TH: JEFFERSON.

JANUARY 13, 1809.

To the Senate and House of Representatives of the United States:

I now render to Congress the account of the fund established for defraying the contingent expenses of Government for the year 1808. Of the $20,000 appropriated for that purpose, $2,000 were deposited in the hands of the Attorney-General of the United States to pay expenses incident to the prosecution of Aaron Burr and his accomplices for treason and misdemeanors alleged to have been committed by them; $990 were paid to the order of Governor Williams on the same account, and the balance of $17,010 remains in the Treasury unexpended.

TH: JEFFERSON.

JANUARY 17, 1809.

To the Senate and House of Representatives of the United States:

I communicate to Congress certain letters which passed between the British secretary of state, Mr. Canning, and Mr. Pinkney, our minister plenipotentiary at London. When the documents concerning the relations between the United States and Great Britain were laid before Congress at the commencement of the session, the answer of Mr. Pinkney to the letter of Mr. Canning had not been received, and a communication of the latter alone would have accorded neither with propriety nor with the wishes of Mr. Pinkney. When that answer afterwards arrived it was considered that, as what had passed by conversation had been superseded by the written and formal correspondence on the subject, the variance in the two statements of what had verbally passed was not of sufficient importance to be made the matter of a distinct and special communication. The letter of Mr. Canning, however, having lately appeared in print, unaccompanied by that of Mr. Pinkney in reply, and having a tendency to make impressions not warranted by the statements of Mr. Pinkney, it has become proper that the whole should be brought into public view.

TH: JEFFERSON.

JANUARY 24, 1809.

To the Senate of the United States:

According to the resolution of the Senate of the 17th instant, I now transmit them the information therein requested, respecting the execution of the act of Congress of February 21, 1806, appropriating $2,000,000 for defraying any extraordinary expenses attending the intercourse between the United States and foreign nations.

TH: JEFFERSON.

JANUARY 30, 1809.

To the Senate and House of Representatives of the United States:

I transmit to Congress a letter recently received from our minister at the Court of St. James, covering one to him from the British secretary of state, with his reply. These are communicated as forming a sequel to the correspondence which accompanied my message to both Houses of the 17th instant.

TH: JEFFERSON.

FEBRUARY 18, 1809.

To the Senate of the United States:

I submit a treaty, concluded at Brownstown, in the Territory of Michigan, between the United States and the Chippewas, Ottawas, Potawattamies, Wyandots, and Shawnees, on the 25th day of November last, whereby those tribes grant to the United States two roads, therein described, for the decision of the Senate whether they will advise and consent to the ratification of it.

TH: JEFFERSON.

FEBRUARY 24, 1809.

To the Senate of the United States:

The Emperor of Russia has on several occasions indicated sentiments particularly friendly to the United States, and expressed a wish through different channels that a diplomatic intercourse should be established between the two countries. His high station and the relations of Russia to the predominant powers of Europe must give him weight with them according to the vicissitudes of the war, and his influence in negotiations for peace may be of value to the United States should arrangements of any sort affecting them be contemplated by other powers in the present extraordinary state of the world; and under the constant possibility of sudden negotiations for peace I have thought that the friendly dispositions of such a power might be advantageously cherished by a mission which should manifest our willingness to meet his good will. I accordingly commissioned in the month of August last William Short, formerly minister plenipotentiary of the United States at Madrid, to proceed as minister plenipotentiary to the Court of St. Petersburg, and he proceeded accordingly; and I now nominate him to the Senate for that appointment.

TH: JEFFERSON.

FEBRUARY 25, 1809.

To the Senate and House of Representatives of the United States:

I now lay before Congress a statement of the militia of the United States according to the latest returns received by the Department of War.

TH: JEFFERSON.

PROCLAMATION.

[From Annals of Congress, Tenth Congress, second session, 462.]

WASHINGTON, *December 30, 1808.*

The President of the United States to ——, Senator for the State of ——.

Certain matters touching the public good requiring that the Senate should be convened on Saturday, the 4th day of March next, you are desired to attend at the Senate Chamber, in the city of Washington, on that day, then and there to deliberate on such communications as shall be made to you.

TH: JEFFERSON.

QUESTIONS.

1. What were the Milan and Berlin Decrees? Pages 415, 432.

2. In what connection was Jefferson responsible for the dollar as the unit of United States money? Page 307.

3. What was Jefferson's idea of national defense and army maintenance? Page 398.

4. Why did Jefferson suggest the removal of the Military Academy from West Point to Washington? Page 433.

5. When did the President suggest a special militia of seamen to man naval vessels in emergencies? Page 416.

6. Why did Jefferson forbid British armed vessels to enter our harbors? Pages 414, 419.

7. What flagrant violation of our maritime rights was undertaken by Great Britain? Page 415.

8. Upon what foundation did Jefferson hope national education might be established? Page 398.

9. What reasons were given for the Government purchase of ore lands from the Cherokee Indians? Page 431.

10. What was Jefferson's Indian Policy? Page 340.

11. What advantages came to the Government from the acquisition of the salt springs on the Wabash River? Page 342.

12. What national misfortune helped the establishment of manufactories in the United States? Page 443.

SUGGESTIONS.

Jefferson's conception of important rights and duties is clearly set forth in his first Inaugural Address, page 309, especially in the latter part, page 311.

On the question of expansion, Jefferson's views are forcefully set forth in connection with the Louisiana Purchase. Pages 346, 348, 350.

Read Jefferson's recommendations in the matter of the militia and the standing army. Page 317.

The Louisiana Purchase was made during Jefferson's administration—a profoundly important step in American history. Pages 346, 348, 350. (See Louisiana Purchase, Encyclopedic Index.)

Read Jefferson's Foreign Policy. Pages 311, 346, 349.

NOTE.

For further suggestion on Jefferson's administration, see Jefferson, Thomas, Encyclopedic Index.

By reading the Foreign Policy of each President, and by scanning the messages as to the state of the nation, a thorough knowledge of the history of the United States will be acquired from the most authentic sources; because, as has been said, "Each President reviews the past, depicts the present and forecasts the future of the nation."

James Madison

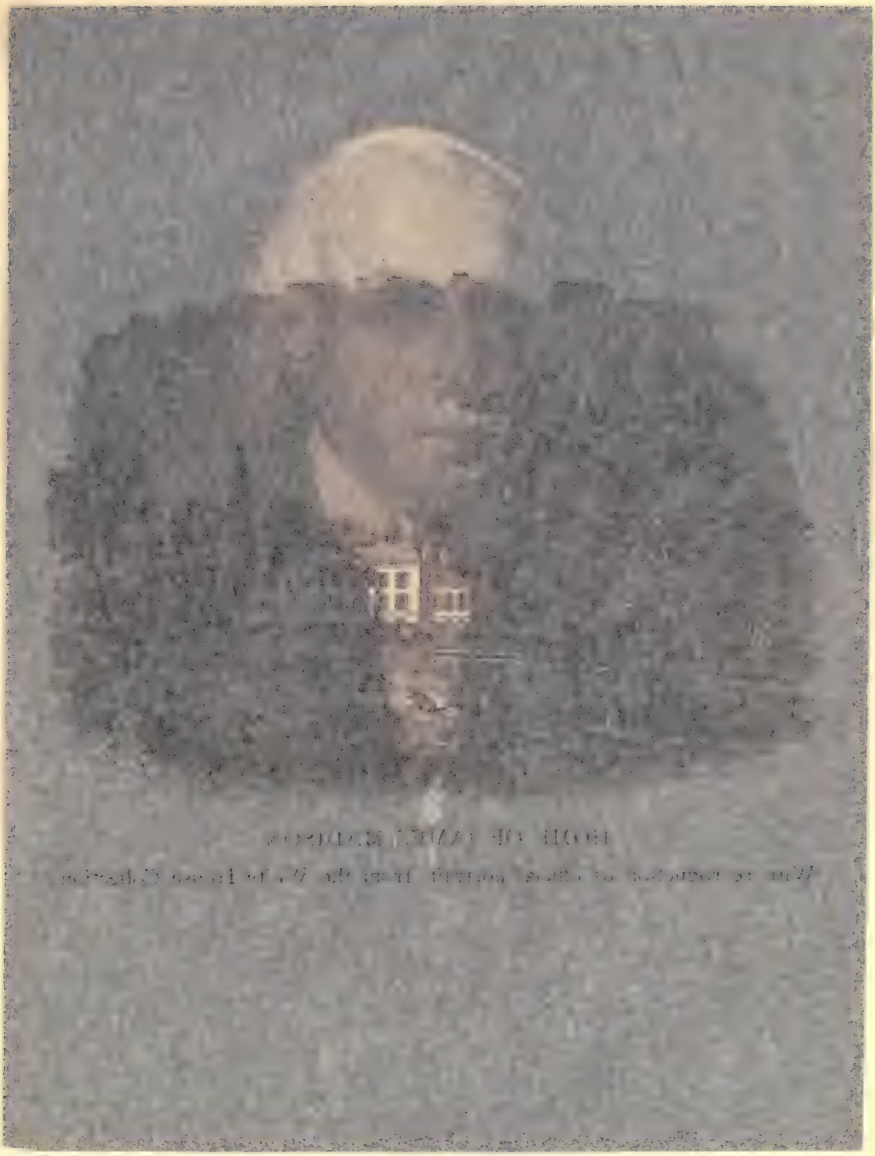
March 4, 1809, to March 4, 1817

SEE ENCYCLOPEDIC INDEX.

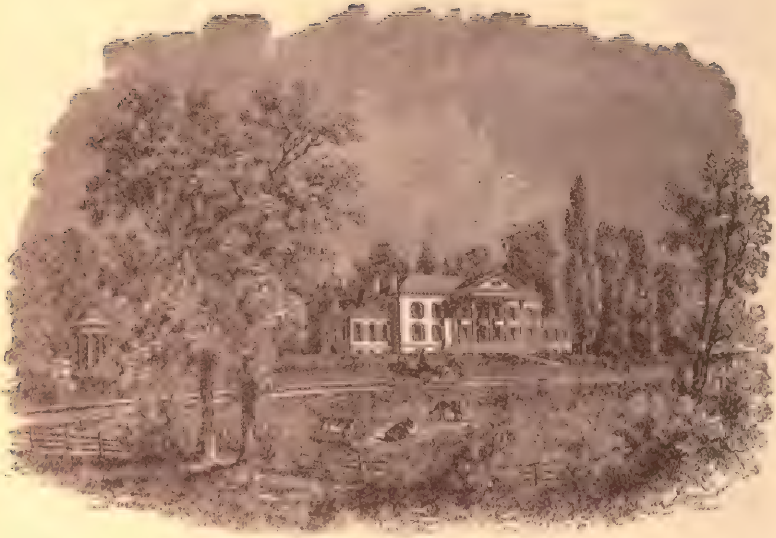
The Encyclopedic Index is not only an index to the other volumes, not only a key that unlocks the treasures of the entire publication, but it is in itself an alphabetically arranged brief history or story of the great controlling events constituting the History of the United States.

Under its proper alphabetical classification the story is told of every great subject referred to by any of the Presidents in their official Messages, and at the end of each article the official utterances of the Presidents themselves are cited upon the subject, so that you may readily turn to the page in the body of the work itself for this original information.

Next to the possession of knowledge is the ability to turn at will to where knowledge is to be found.

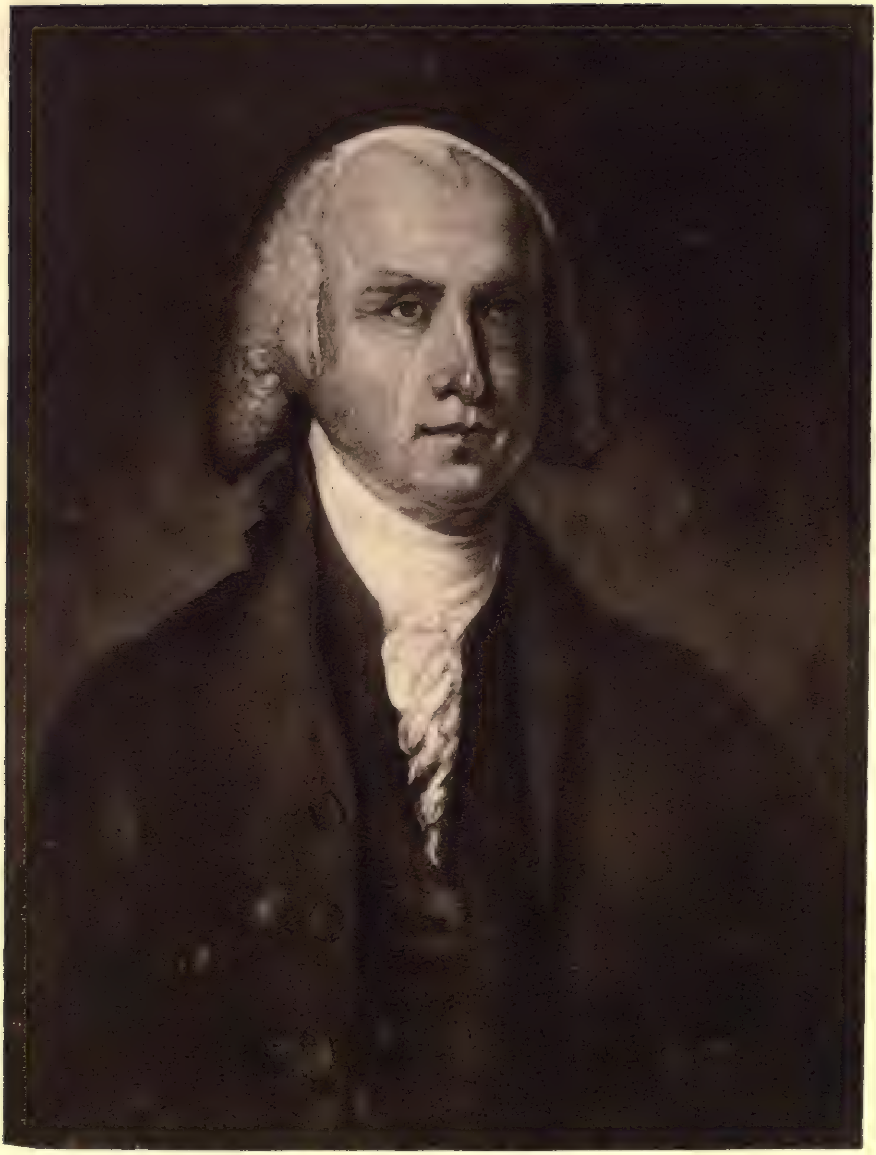


James Madison



HOME OF JAMES MADISON

With reproduction of official portrait, from the White House Collection



James Madison

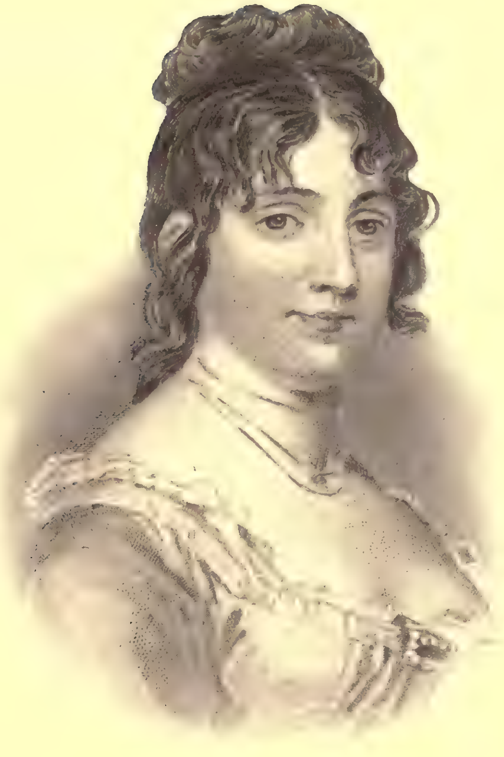
MADISON

Not all great men were poor boys. The child of wealth has a harder task than the son of poverty. He lacks the compelling incentive of necessity. All things are at his hand. It is a heart of rare determination and a mind of uncommon virtue that can put luxury aside in youth and young manhood and depend alone on merit and on native force. Such a man was Sumner. Such in a lesser measure of fortune was Washington. And such, more than either, was James Madison, "Father of the Constitution," as he was called. He was the child of wealth, and yet he used the leisure thus afforded in study, self-discipline and thought. His early condition and subsequent success are therefore an inspiration to all the heirs of fortune. And his method is a lesson to all who would achieve mightily in the day when learning and trained intellectual power is needed. That method was to employ each hour in storing up knowledge, thought and therefore wisdom. And so his mind became an intellectual storage battery, charged with power and ready for the instant when Circumstance should call, as it always does, with startling suddenness, for the man of the hour. Life's opportunity sends no couriers ahead to prepare men for its coming. It appears on the instant without warning and cries aloud, "Here am I, where is the man!"

This is the sole secret of Madison's success. He never strove for place. His character was not masterful. He was a follower of mightier men. He was easily influenced by such lordly wills as Hamilton, easily seduced by such subtle minds as Jefferson. Thus his public service was a series of contradictions, compromises, doubts and fears. And yet he was one of the superior figures of that age of giants and of storm. He was this solely because he was equipped. His mind was an arsenal which all factions and all parties needed in their warfare, and which each great political leader sought to capture. He had made himself, by sheer preparedness, indispensable. And thus it is that in spite of variable will and neutral character, his is one of the revered names of American history.

Madison was a middle ground. Between those tremendous mountain peaks of power, Hamilton and Jefferson, standing over against each other, Madison was the valley. Under the influence of Hamilton he was a maker of the Constitution and the ablest aid of his great chief in forcing the idea of centralization on the Convention. Under the influence of Jefferson he was dissatisfied with his own immortal works, and advocated the amendments and the Bill of Rights. Under Hamilton's compelling hand he urged the power of National coercion to make effective National taxation and the National laws. Under the insinuating suggestions of Jefferson he swung back to the extreme of the States Rights view and drew the resolutions of the Virginia Legislature, declaring the Alien and Seditions laws "utterly null and void and of no effect." Thus, within a single decade, he secured the contradictory titles of "Father of the Constitution" and "Father of Nullification." Nothing so clearly shows the charitableness of Time than that to-day the mass of Americans willingly forget the last and remember with loving pride the first. But this is history, and in the realms of history truth alone should reign. However, in all and through all he was a patriot. His motives were absolutely pure. His intentions were exalted. Loftier love of country no man had; and Americans love him who loves America. All can be forgiven the patriot, and it should be so. This land of ours is the home of the master people of the world; our flag is sacred; our destiny is in the hand of God; and he who loves America and with a fervent faith serves this chosen people, shall be exalted in the chronicle of the Nation's great, and grow nobler, purer and dearer to American heart as generations come and go. Time with its erasing hand makes dim and finally obliterates all earthly fame save that of the patriot and saint. The luster of these grows brighter against the background of universal blackness where the pitying and remorseless years have blotted out the deeds and the follies of the race. So lives the name of Madison, and so it shall continue to live, made immortal by the magic power of patriotism.

Albert J Beveridge



DOROTHY PAINE MADISON

Dorothy Paine, a Friend, first married, at nineteen, John Todd, a young lawyer of Philadelphia. One year after his death, when twenty-two, she married James Madison. Her kind heart, frank and cordial manners, and personal beauty made her very popular. When she presided at the White House her tact, her ready recognition of every one, and her remembrance of events concerning them increased this feeling. Although her entertainments lacked the ceremony of past administrations, "Dolly" Madison was considered a charming hostess. Although she was extremely charitable, she always dispensed her husband's wealth with prudence and judgment. The war of 1812 showed her true nobility in many ways, and it was she who saved the Stuart portrait of Washington when the British were about to pillage and burn the White House. The Government bought from her Madison's Record of the Debates in Congress from 1782-1787, for $30,000.

James Madison

JAMES MADISON was born in King George County, Va., on the 16th of March, 1751. He was the son of James Madison, the family being of English descent, and among the early settlers of Virginia. Was fitted for college by private tutors, and entered Princeton College in 1769, graduating in 1771; remained a year at college pursuing his studies. After this he returned to Virginia and began the practice of law. In 1776 was elected a member of the general assembly of Virginia, and in 1778 was appointed a member of the executive council. In the winter of 1779–80 was chosen a delegate to the Continental Congress, of which body he continued an active and prominent member till 1784. The legislature of Virginia appointed him in 1786 a delegate to a convention at Annapolis, Md., to devise a system of commercial regulations for all the States. Upon their recommendation a convention of delegates from all the States was held in Philadelphia in May, 1787. This Convention framed the Constitution of the United States, and of it Mr. Madison was a leading member. He was next a member of the convention of his State which met to consider the new Constitution for the United States. Was a member of the House of Representatives in the First Congress, taking his seat in April, 1789, and continued to be a member of the House during both of Washington's terms as President. He married Mrs. Dolly Paine Todd, of Philadelphia, in 1794, she being the widow of a Pennsylvania lawyer. Her father was a Quaker, and had removed from Virginia to Philadelphia. Declined the office of Secretary of State, vacated by Jefferson, in 1793. He retired from Congress in 1797, and in 1798 accepted a seat in the Virginia assembly. In 1801 was appointed by President Jefferson Secretary of State, which office he held during the eight years of Jefferson's Administration. In 1808 was elected President, and was reelected in 1812. On March 4, 1817, he retired from public life, and passed the remainder of his days at Montpelier, in Orange County, Va. In 1829 was chosen a member of the State convention to revise the constitution of Virginia, and was also chosen president of an agricultural society in his county. He died on the 28th day of June, 1836, and was buried at his home.

LETTER FROM THE PRESIDENT ELECT.

The President of the Senate communicated the following letter from the President elect of the United States:

CITY OF WASHINGTON, *March 2, 1809.*

HON. JOHN MILLEDGE,
President pro tempore of the Senate.

SIR: I beg leave through you to inform the honorable the Senate of the United States that I propose to take the oath which the Constitution prescribes to the President of the United States before he enters on the execution of his office on Saturday, the 4th instant, at 12 o'clock, in the Chamber of the House of Representatives.

I have the honor to be, with the greatest respect, sir, your most obedient and most humble servant,

JAMES MADISON.

FIRST INAUGURAL ADDRESS.

Unwilling to depart from examples of the most revered authority, I avail myself of the occasion now presented to express the profound impression made on me by the call of my country to the station to the duties of which I am about to pledge myself by the most solemn of sanctions. So distinguished a mark of confidence, proceeding from the deliberate and tranquil suffrage of a free and virtuous nation, would under any circumstances have commanded my gratitude and devotion, as well as filled me with an awful sense of the trust to be assumed. Under the various circumstances which give peculiar solemnity to the existing period, I feel that both the honor and the responsibility allotted to me are inexpressibly enhanced.

The present situation of the world is indeed without a parallel, and that of our own country full of difficulties. The pressure of these, too, is the more severely felt because they have fallen upon us at a moment when the national prosperity being at a height not before attained, the contrast resulting from the change has been rendered the more striking. Under the benign influence of our republican institutions, and the maintenance of peace with all nations whilst so many of them were engaged in bloody and wasteful wars, the fruits of a just policy were enjoyed in an unrivaled growth of our faculties and resources. Proofs of this were seen in the improvements of agriculture, in the successful enterprises of commerce, in the progress of manufactures and useful arts, in the increase of the public revenue and the use made of it in reducing the public debt, and in the valuable works and establishments everywhere multiplying over the face of our land.

It is a precious reflection that the transition from this prosperous condition of our country to the scene which has for some time been distressing us is not chargeable on any unwarrantable views, nor, as I trust, on any involuntary errors in the public councils. Indulging no passions which trespass on the rights or the repose of other nations, it has been the true glory of the United States to cultivate peace by observing justice, and to entitle themselves to the respect of the nations at war by fulfilling their neutral obligations with the most scrupulous impartiality. If there be candor in the world, the truth of these assertions will not be questioned; posterity at least will do justice to them.

This unexceptionable course could not avail against the injustice and violence of the belligerent powers. In their rage against each other, or impelled by more direct motives, principles of retaliation have been introduced equally contrary to universal reason and acknowledged law. How long their arbitrary edicts will be continued in spite of the demonstrations that not even a pretext for them has been given by the United States, and of the fair and liberal attempt to induce a revocation of them, can not be anticipated. Assuring myself that under every vicissitude the determined spirit and united councils of the nation will be safeguards to its honor and its essential interests, I repair to the post assigned me with no other discouragement than what springs from my own inadequacy to its high duties. If I do not sink under the weight of this deep conviction it is because I find some support in a consciousness of the purposes and a confidence in the principles which I bring with me into this arduous service.

To cherish peace and friendly intercourse with all nations having correspondent dispositions; to maintain sincere neutrality toward belligerent nations; to prefer in all cases amicable discussion and reasonable accommodation of differences to a decision of them by an appeal to arms; to exclude foreign intrigues and foreign partialities, so degrading to all countries and so baneful to free ones; to foster a spirit of independence too just to invade the rights of others, too proud to surrender our own, too liberal to indulge unworthy prejudices ourselves and too elevated not to look down upon them in others; to hold the union of the States as the basis of their peace and happiness; to support the Constitution, which is the cement of the Union, as well in its limitations as in its authorities; to respect the rights and authorities reserved to the States and to the people as equally incorporated with and essential to the success of the general system; to avoid the slightest interference with the rights of conscience or the functions of religion, so wisely exempted from civil jurisdiction; to preserve in their full energy the other salutary provisions in behalf of private and personal rights, and of the freedom of the press; to observe economy in public expenditures; to liberate the public resources by an honorable discharge of the public debts; to keep within the requisite limits a standing military force, always remembering that an armed and trained militia is the firmest bulwark of republics—that without standing armies their liberty can never be in danger, nor with large ones safe; to promote by authorized means improvements friendly to agriculture, to manufactures, and to external as well as internal commerce; to favor in like manner the advancement of science and the diffusion of information as the best aliment to true liberty; to carry on the benevolent plans which have been so meritoriously applied to the conversion of our aboriginal neighbors from the degradation and wretchedness of savage life to a participation of the improvements of which the human mind and manners are susceptible in a civilized state—as far as sentiments and intentions such as these can aid the fulfillment of my duty, they will be a resource which can not fail me.

It is my good fortune, moreover, to have the path in which I am to tread lighted by examples of illustrious services successfully rendered in the most trying difficulties by those who have marched before me. Of those of my immediate predecessor it might least become me here to speak. I may, however, be pardoned for not suppressing the sympathy with which my heart is full in the rich reward he enjoys in the benedictions of a beloved country, gratefully bestowed for exalted talents zealously devoted through a long career to the advancement of its highest interest and happiness.

But the source to which I look for the aids which alone can supply my deficiencies is in the well-tried intelligence and virtue of my fellow-citizens, and in the counsels of those representing them in the other departments associated in the care of the national interests. In these my confidence will under every difficulty be best placed, next to that which we have all been encouraged to feel in the guardianship and guidance of that Almighty Being whose power regulates the destiny of nations, whose blessings have been so conspicuously dispensed to this rising Republic, and to whom we are bound to address our devout gratitude for the past, as well as our fervent supplications and best hopes for the future.

MARCH 4, 1809.

SPECIAL SESSION MESSAGE.

Fellow-Citizens of the Senate and of the House of Representatives:

On this first occasion of meeting you it affords me much satisfaction to be able to communicate the commencement of a favorable change in our foreign relations, the critical state of which induced a session of Congress at this early period.

In consequence of the provisions of the act interdicting commercial intercourse with Great Britain and France, our ministers at London and Paris were without delay instructed to let it be understood by the French and British Governments that the authority vested in the Executive to renew commercial intercourse with their respective nations would be exercised in the case specified by that act.

Soon after these instructions were dispatched it was found that the British Government, anticipating from early proceedings of Congress at their last session the state of our laws, which has had the effect of placing the two belligerent powers on a footing of equal restrictions, and relying on the conciliatory disposition of the United States, had transmitted to their legation here provisional instructions not only to offer satisfaction for the attack on the frigate *Chesapeake*, and to make known the determination of His Britannic Majesty to send an envoy extraordinary with powers to conclude a treaty on all the points between the two countries, but, moreover, to signify his willingness in the meantime to withdraw his orders in council, in the persuasion that the intercourse with Great Britain would be renewed on the part of the United States.

These steps of the British Government led to the correspondence and the proclamation now laid before you, by virtue of which the commerce between the two countries will be renewable after the 10th day of June next.

Whilst I take pleasure in doing justice to the councils of His Britannic Majesty, which, no longer adhering to the policy which made an abandonment by France of her decrees a prerequisite to a revocation of the British orders, have substituted the amicable course which has issued thus happily, I can not do less than refer to the proposal heretofore made on the part of the United States, embracing a like restoration of the suspended commerce, as a proof of the spirit of accommodation which has at no time been intermitted, and to the result which now calls for our congratulations, as corroborating the principles by which the public councils have been guided during a period of the most trying embarrassments.

The discontinuance of the British orders as they respect the United States having been thus arranged, a communication of the event has been forwarded in one of our public vessels to our minister plenipotentiary at Paris, with instructions to avail himself of the important addition thereby made to the considerations which press on the justice of the French Government a revocation of its decrees or such a modification of them as that they shall cease to violate the neutral commerce of the United States.

The revision of our commercial laws proper to adapt them to the arrangement which has taken place with Great Britain will doubtless engage the early attention of Congress. It will be worthy at the same time of their just and provident care to make such further alterations in the laws as will more especially protect and foster the several branches of manufacture which have been recently instituted or extended by the laudable exertions of our citizens.

Under the existing aspect of our affairs I have thought it not inconsistent with a just precaution to have the gunboats, with the exception of those at New Orleans, placed in a situation incurring no expense beyond that requisite for their preservation and conveniency for future service, and to have the crews of those at New Orleans reduced to the number required for their navigation and safety.

I have thought also that our citizens detached in quotas of militia amounting to 100,000 under the act of March, 1808, might not improperly be relieved from the state in which they were held for immediate service. A discharge of them has been accordingly directed.

The progress made in raising and organizing the additional military force, for which provision was made by the act of April, 1808, together with the disposition of the troops, will appear by a report which the Secretary of War is preparing, and which will be laid before you.

Of the additional frigates required by an act of the last session to be fitted for actual service, two are in readiness, one nearly so, and the fourth is expected to be ready in the month of July. A report which the Secretary of the Navy is preparing on the subject, to be laid before Congress, will shew at the same time the progress made in officering and manning these ships. It will shew also the degree in which the provisions of the act relating to the other public armed ships have been carried into execution.

It will rest with the judgment of Congress to decide how far the change in our external prospects may authorize any modifications of the laws relating to the army and navy establishments.

The works of defense for our seaport towns and harbors have proceeded with as much activity as the season of the year and other circumstances would admit. It is necessary, however, to state that, the appropriations hitherto made being found to be deficient, a further provision will claim the early consideration of Congress.

The whole of the 8 per cent stock remaining due by the United States, amounting to $5,300,000, had been reimbursed on the last day of the year 1808; and on the 1st day of April last the sum in the Treasury exceeded $9,500,000. This, together with the receipts of the current year on account of former revenue bonds, will probably be nearly if not altogether sufficient to defray the expenses of the year. But the suspension of exports and the consequent decrease of importations during the last twelve months will necessarily cause a great diminution in the receipts of the year 1810. After that year, should our foreign relations be undisturbed, the revenue will again be more than commensurate to all the expenditures.

Aware of the inconveniences of a protracted session at the present season of the year, I forbear to call the attention of the Legislature to any matters not particularly urgent. It remains, therefore, only to assure you of the fidelity and alacrity with which I shall cooperate for the welfare and happiness of our country, and to pray that it may experience a continuance of the divine blessings by which it has been so signally favored.

JAMES MADISON.

MAY 23, 1809.

SPECIAL MESSAGES.

MAY 26, 1809.

To the Senate of the United States:

I now lay before Congress the report of the Secretary of War, shewing the progress made in carrying into effect the act of April, 1808, for raising an additional military force, and the disposition of the troops.

JAMES MADISON.

JUNE 4, 1809.

To the Senate of the United States:

In compliance with the request of the legislature of Pennsylvania, I transmit to Congress a copy of certain of its proceedings, communicated for the purpose by the governor of that State.

JAMES MADISON.

JUNE 15, 1809.

To the Senate of the United States:

In compliance with the resolution of the Senate of the 13th instant, I transmit extracts from letters from Mr. Pinkney to the Secretary of State, accompanied by letters and communications to him from the British secretary of state for the foreign department, all of which have been received here since the last session of Congress.

To these documents are added a communication just made by Mr. Erskine to the Secretary of State, and his answer.

JAMES MADISON.

JUNE 20, 1809.

To the Senate of the United States:

In compliance with the resolution of the Senate of the 19th instant, I transmit such information as has been received respecting exiles from Cuba arrived or expected within the United States; also a letter from General Turreau connected with that subject.

JAMES MADISON.

JUNE 26, 1809.

To the Senate of the United States:

The considerations which led to the nomination of a minister plenipotentiary to Russia being strengthened by evidence since received of the earnest desire of the Emperor to establish a diplomatic intercourse between the two countries, and of a disposition in his councils favorable to the extension of a commerce mutually advantageous, as will be seen by the extracts from letters from General Armstrong and Consul Harris herewith confidentially communicated, I nominate John Quincy Adams, of Massachusetts, to be minister plenipotentiary of the United States to the Court of St. Petersburg.

JAMES MADISON.

PROCLAMATIONS.

[From Annals of Congress, Eleventh Congress, part 2, 2060.]

BY THE PRESIDENT OF THE UNITED STATES.

A PROCLAMATION.

Whereas it is provided by the eleventh section of the act of Congress entitled "An act to interdict the commercial intercourse between the United States and Great Britain and France and their dependencies, and for other purposes," that "in case either France or Great Britain shall so revoke or modify her edicts as that they shall cease to violate the neutral commerce of the United States" the President is authorized to declare the same by proclamation, after which the trade suspended by the said act and by an act laying an embargo on all ships and vessels in the ports and harbors of the United States and the several acts supplementary thereto may be renewed with the nation so doing; and

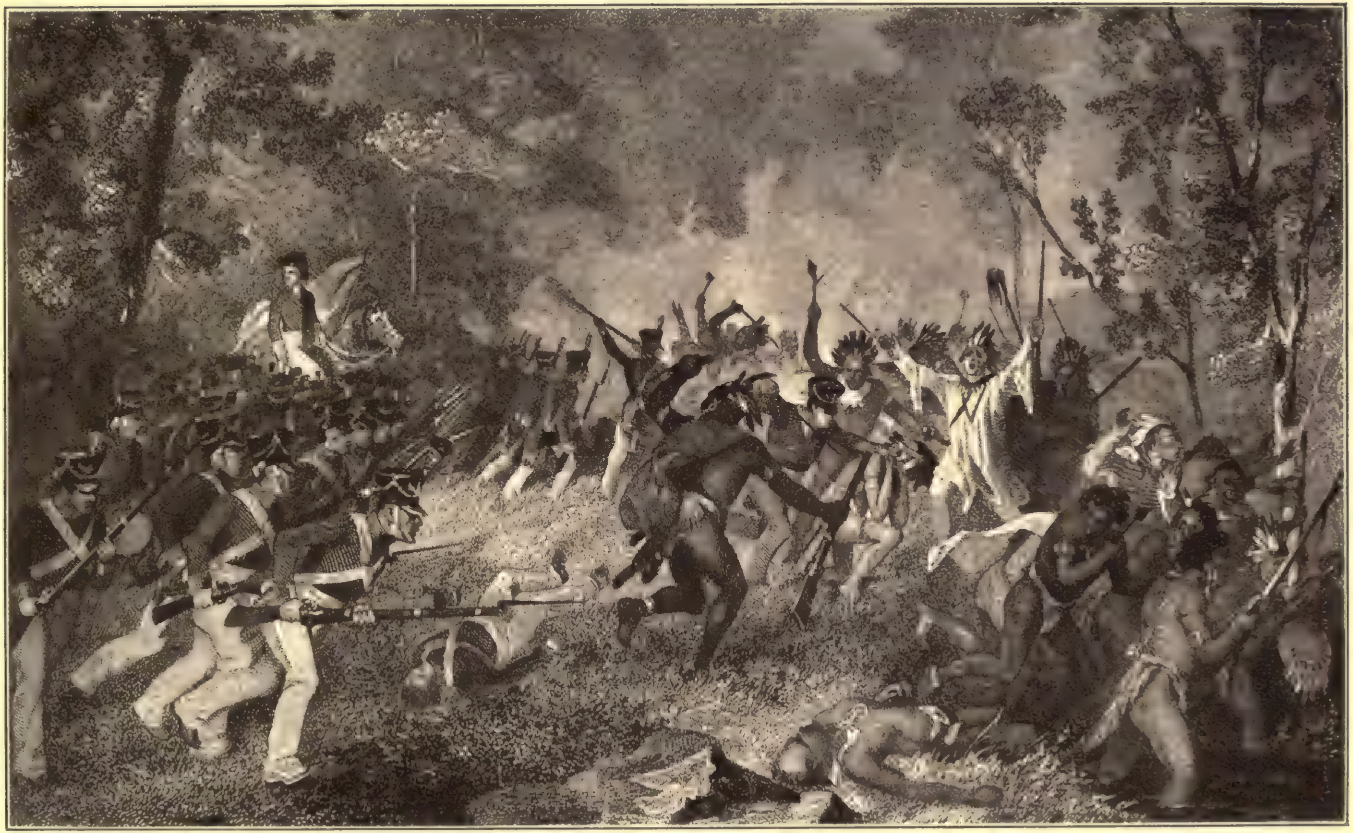
Whereas the Honorable David Montague Erskine, His Britannic Majesty's envoy extraordinary and minister plenipotentiary, has, by the order and in the name of his Sovereign, declared to this Government that the British orders in council of January and November, 1807, will have been withdrawn as respects the United States on the 10th day of June next:

Now, therefore, I, James Madison, President of the United States, do hereby proclaim that the orders in council aforesaid will have been withdrawn on the said 10th day of June next, after which day the trade of the United States with Great Britain, as suspended by the act of Congress above mentioned and an act laying an embargo on all ships and vessels in the ports and harbors of the United States and the several acts supplementary thereto, may be renewed.

[SEAL.] Given under my hand and the seal of the United States at Washington, the 19th day of April, A.D. 1809, and of the Independence of the United States the thirty-third.

JAMES MADISON.

By the President:
R. SMITH,
Secretary of State.



THE BATTLE OF TIPPECANOE

THE BATTLE OF TIPPECANOE.

November 7, 1811.

Willing tools in the hands of England, the Indians were, until 1840-1850, a very real and constant source of anxiety to the Presidents. From Washington's time onward the policy had been to utilize every opportunity of thrusting the tribes westward. Tecumseh, a chieftain of remarkable intelligence and ability, sought to block the westward progress of the white man by forming a confederacy of the Indian tribes. In 1909 the United States made a purchase of 3,000,000 acres of land on the Wabash, which Tecumseh declared was fraudulent. He gathered forces on Tippecanoe Creek to prevent the occupation of the territory ceded. William Henry Harrison, then Governor of Indiana Territory, which is now Indiana, Illinois, Michigan and Wisconsin, decided to establish our title by building a fort in the disputed domain. When he came within four miles of the Indian encampment on Tippecanoe Creek he was met by a deputation of savages who requested him to abandon for the day his hostile plans, bivouac for the night on that spot, and in the morning parley with Tecumseh's brother, the Prophet. Although the spot seemed devised by nature to favor an Indian attack, Harrison complied. Two hours before daylight the Indians began picking off the troops made visible by the campfires. Unable to retaliate effectually, the troops waited doggedly for daylight. Then, at point of bayonet, they drove their foes into a swamp and wiped them and their village out of existence. The victory cost 188 men in killed and wounded, 34 of them being officers. Tecumseh's ambitious scheme of confederation was discredited and doomed from that time on.

Reference to the headings beginning with the word "Indian" in the encyclopedic index will show how exhaustively the work treats Indian affairs from the very beginning of the Government to the day when the savage ceased to harass our frontiers.

[From Annals of Congress, Eleventh Congress, part 2, 2076.]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, in consequence of a communication from His Britannic Majesty's envoy extraordinary and minister plenipotentiary declaring that the British orders of council of January and November, 1807, would have been withdrawn on the 10th day of June last, and by virtue of authority given in such event by the eleventh section of the act of Congress entitled "An act to interdict the commercial intercourse between the United States and Great Britain and France and their dependencies, and for other purposes," I, James Madison, President of the United States, did issue my proclamation bearing date on the 19th of April last, declaring that the orders in council aforesaid would have been so withdrawn on the said 10th day of June, after which the trade suspended by certain acts of Congress might be renewed; and

Whereas it is now officially made known to me that the said orders in council have not been withdrawn agreeably to the communication and declaration aforesaid:

I do hereby proclaim the same, and, consequently, that the trade renewable on the event of the said orders, being withdrawn, is to be considered as under the operation of the several acts by which such trade was suspended.

Given under my hand and the seal of the United States at the city of Washington, the 9th day of August, A. D. 1809, and of the Independence of the said United States the thirty-fourth.

[SEAL.]

JAMES MADISON.

By the President:

R. SMITH,
Secretary of State.

FIRST ANNUAL MESSAGE.

NOVEMBER 29, 1809.

Fellow-Citizens of the Senate and of the House of Representatives:

At the period of our last meeting I had the satisfaction of communicating an adjustment with one of the principal belligerent nations, highly important in itself, and still more so as presaging a more extended accommodation. It is with deep concern I am now to inform you that the favorable prospect has been overclouded by a refusal of the British Government to abide by the act of its minister plenipotentiary, and by its ensuing policy toward the United States as seen through the communications of the minister sent to replace him.

Whatever pleas may be urged for a disavowal of engagements formed by diplomatic functionaries in cases where by the terms of the engagements a mutual ratification is reserved, or where notice at the time may have been given of a departure from instructions, or in extraordinary cases essentially violating the principles of equity, a disavowal could not have been apprehended in a case where no such notice or violation existed, where no such ratification was reserved, and more especially where, as is now in proof, an engagement to be executed without any such ratification was contemplated by the instructions given, and where it had with good faith been carried into immediate execution on the part of the United States.

These considerations not having restrained the British Government from disavowing the arrangement by virtue of which its orders in council were to be revoked, and the event authorizing the renewal of commercial intercourse having thus not taken place, it necessarily became a question of equal urgency and importance whether the act prohibiting that intercourse was not to be considered as remaining in legal force. This question being, after due deliberation, determined in the affirmative, a proclamation to that effect was issued. It could not but happen, however, that a return to this state of things from that which had followed an execution of the arrangement by the United States would involve difficulties. With a view to diminish these as much as possible, the instructions from the Secretary of the Treasury now laid before you were transmitted to the collectors of the several ports. If in permitting British vessels to depart without giving bonds not to proceed to their own ports it should appear that the tenor of legal authority has not been strictly pursued, it is to be ascribed to the anxious desire which was felt that no individuals should be injured by so unforeseen an occurrence; and I rely on the regard of Congress for the equitable interests of our own citizens to adopt whatever further provisions may be found requisite for a general remission of penalties involuntarily incurred.

The recall of the disavowed minister having been followed by the appointment of a successor, hopes were indulged that the new mission would contribute to alleviate the disappointment which had been produced, and to remove the causes which had so long embarrassed the good understanding of the two nations. It could not be doubted that it would at least be charged with conciliatory explanations of the step which had been taken and with proposals to be substituted for the rejected arrangement. Reasonable and universal as this expectation was, it also has not been fulfilled. From the first official disclosures of the new minister it was found that he had received no authority to enter into explanations relative to either branch of the arrangement disavowed nor any authority to substitute proposals as to that branch which concerned the British orders in council, and, finally, that his proposals with respect to the other branch, the attack on the frigate *Chesapeake*, were founded on a presumption repeatedly declared to be inadmissible by the United States, that the first step toward adjustment was due from them, the proposals at the same time omitting even a reference to the officer answerable for the murderous aggression, and asserting a claim not less contrary to the British laws and British practice than to the principles and obligations of the United States.

The correspondence between the Department of State and this minister will show how unessentially the features presented in its commencement have been varied in its progress. It will show also that, forgetting the respect due to all governments, he did not refrain from imputations on this, which required that no further communications should be received from him. The necessity of this step will be made known to His Britannic Majesty through the minister plenipotentiary of the United States in London; and it would indicate a want of the confidence due to a Government which so well understands and exacts what becomes foreign ministers near it not to infer that the misconduct of its own representative will be viewed in the same light in which it has been regarded here. The British Government will learn at the same time that a ready attention will be given to communications through any channel which may be substituted. It will be happy if the change in this respect should be accompanied by a favorable revision of the unfriendly policy which has been so long pursued toward the United States.

With France, the other belligerent, whose trespasses on our commercial rights have long been the subject of our just remonstrances, the posture of our relations does not correspond with the measures taken on the part of the United States to effect a favorable change. The result of the several communications made to her Government, in pursuance of the authorities vested by Congress in the Executive, is contained in the correspondence of our minister at Paris now laid before you.

By some of the other belligerents, although professing just and amicable dispositions, injuries materially affecting our commerce have not been duly controlled or repressed. In these cases the interpositions deemed proper on our part have not been omitted. But it well deserves the consideration of the Legislature how far both the safety and the honor of the American flag may be consulted, by adequate provisions against that collusive prostitution of it by individuals unworthy of the American name which has so much favored the real or pretended suspicions under which the honest commerce of their fellow-citizens has suffered.

In relation to the powers on the coast of Barbary, nothing has occurred which is not of a nature rather to inspire confidence than distrust as to the continuance of the existing amity. With our Indian neighbors, the just and benevolent system continued toward them has also preserved peace, and is more and more advancing habits favorable to their civilization and happiness.

From a statement which will be made by the Secretary of War it will be seen that the fortifications on our maritime frontier are in many of the ports completed, affording the defense which was contemplated, and that a further time will be required to render complete the works in the harbor of New York and in some other places. By the enlargement of the works and the employment of a greater number of hands at the public armories the supply of small arms of an improving quality appears to be annually increasing at a rate that, with those made on private contract, may be expected to go far toward providing for the public exigency.

The act of Congress providing for the equipment of our vessels of war having been fully carried into execution, I refer to the statement of the Secretary of the Navy for the information which may be proper on that subject. To that statement is added a view of the transfers of appropriations authorized by the act of the session preceding the last and of the grounds on which the transfers were made.

Whatever may be the course of your deliberations on the subject of our military establishments, I should fail in my duty in not recommending to your serious attention the importance of giving to our militia, the great bulwark of our security and resource of our power, an organization the best adapted to eventual situations for which the United States ought to be prepared.

The sums which had been previously accumulated in the Treasury, together with the receipts during the year ending on the 30th of September last (and amounting to more than $9,000,000), have enabled us to fulfill all our engagements and to defray the current expenses of Government without recurring to any loan. But the insecurity of our commerce and the consequent diminution of the public revenue will probably produce a deficiency in the receipts of the ensuing year, for which and for other details I refer to the statements which will be transmitted from the Treasury.

In the state which has been presented of our affairs with the great parties to a disastrous and protracted war, carried on in a mode equally injurious and unjust to the United States as a neutral nation, the wisdom of the National Legislature will be again summoned to the important decision on the alternatives before them. That these will be met in a spirit worthy the councils of a nation conscious both of its rectitude and of its rights, and careful as well of its honor as of its peace, I have an entire confidence; and that the result will be stamped by a unanimity becoming the occasion, and be supported by every portion of our citizens with a patriotism enlightened and invigorated by experience, ought as little to be doubted.

In the midst of the wrongs and vexations experienced from external causes there is much room for congratulation on the prosperity and happiness flowing from our situation at home. The blessing of health has never been more universal. The fruits of the seasons, though in particular articles and districts short of their usual redundancy, are more than sufficient for our wants and our comforts. The face of our country everywhere presents the evidence of laudable enterprise, of extensive capital, and of durable improvement. In a cultivation of the materials and the extension of useful manufactures, more especially in the general application to household fabrics, we behold a rapid diminution of our dependence on foreign supplies. Nor is it unworthy of reflection that this revolution in our pursuits and habits is in no slight degree a consequence of those impolitic and arbitrary edicts by which the contending nations, in endeavoring each of them to obstruct our trade with the other, have so far abridged our means of procuring the productions and manufactures of which our own are now taking the place.

Recollecting always that for every advantage which may contribute to distinguish our lot from that to which others are doomed by the unhappy spirit of the times we are indebted to that Divine Providence whose goodness has been so remarkably extended to this rising nation, it becomes us to cherish a devout gratitude, and to implore from the same omnipotent source a blessing on the consultations and measures about to be undertaken for the welfare of our beloved country.

JAMES MADISON.

SPECIAL MESSAGES.

DECEMBER 12, 1809.

To the House of Representatives of the United States:

According to the request of the House of Representatives expressed in their resolution of the 11th instant, I now lay before them a printed copy of a paper purporting to be a circular letter from Mr. Jackson to the British consuls in the United States, as received in a Gazette at the Department of State; and also a printed paper received in a letter from our minister in London, purporting to be a copy of a dispatch from Mr. Canning to Mr. Erskine of the 23d of January last.

JAMES MADISON.

DECEMBER 16, 1809.

To the Senate of the United States:

Agreeably to the request in the resolution of the 15th instant, I transmit a copy of the correspondence with the governor of Pennsylvania in the case of Gideon Olmstead.

JAMES MADISON.

DECEMBER 16, 1809.

To the House of Representatives of the United States:

Agreeably to the request expressed in the resolution of the 13th instant, I lay before the House extracts from the correspondence of the minister plenipotentiary of the United States at London.

JAMES MADISON.

DECEMBER 22, 1809.

To the Senate of the United States:

I lay before the Senate, for their consideration whether they will advise and consent to the ratification thereof, a treaty concluded on the 30th September last with the Delaware, Potawattamie, Miami, and Eel-river Miami Indian tribes northwest of the Ohio; a separate article of the same date, with the said tribes, and a convention with the Weea tribe, concluded on the 26th October last; the whole being accompanied with the explanatory documents.

JAMES MADISON.

JANUARY 3, 1810.

To the Senate and House of Representatives of the United States:

The act authorizing a detachment of 100,000 men from the militia will expire on the 30th of March next. Its early revival is recommended, in order that timely steps may be taken for arrangements such as the act contemplated.

Without interfering with the modifications rendered necessary by the defects or the inefficacy of the laws restrictive of commerce and navigation, or with the policy of disallowing to foreign armed vessels the use of our waters, it falls within my duty to recommend also that, in addition to the precautionary measure authorized by that act and to the regular troops for completing the legal establishment of which enlistments are renewed, every necessary provision may be made for a volunteer force of 20,000 men, to be enlisted for a short period and held in a state of organization and readiness for actual service at the shortest warning.

I submit to the consideration of Congress, moreover, the expediency of such a classification and organization of the militia as will best insure prompt and successive aids from that source, adequate to emergencies which may call for them.

It will rest with them also to determine how far further provision may be expedient for putting into actual service, if necessary, any part of the naval armament not now employed.

At a period presenting features in the conduct of foreign powers toward the United States which impose on them the necessity of precautionary measures involving expense, it is a happy consideration that such is the solid state of the public credit that reliance may be justly placed on any legal provision that may be made for resorting to it in a convenient form and to an adequate amount.

JAMES MADISON.

JANUARY 9, 1810.

To the Senate of the United States:

I lay before the Senate, for their consideration whether they will advise and consent to the ratification thereof, a treaty concluded on the 9th day of December last with the Kickapoo tribe of Indians, accompanied by explanations in an extract of a letter from the governor of the Indiana Territory.

JAMES MADISON.

JANUARY 15, 1810.

To the Senate of the United States:

I lay before the Senate, for their consideration whether they will advise and consent to the ratification thereof, a treaty concluded with the Great and Little Osage Indians on the 10th day of November, 1808, and the 31st day of August, 1809.

JAMES MADISON.

JANUARY 22, 1810.

To the Senate of the United States:

I transmit to the Senate a report of the Secretary of the Treasury, complying with their resolution of the 27th of December, on the subject of disbursements in the intercourse with the Barbary Powers.

JAMES MADISON.

FEBRUARY 28, 1810.

To the Senate and House of Representatives of the United States:

I now lay before you copies of the treaties concluded with the Delaware, Pottawatamie, Miami, Eel River, and Wea tribes of Indians for the extinguishment of their title to the lands therein described, and I recommend to the consideration of Congress the making provision by law for carrying them into execution.

JAMES MADISON.

MARCH 15, 1810.

To the Senate and House of Representatives of the United States:

A treaty having been entered into and duly ratified with the Kickapoo tribe of Indians for the extinguishment of their title to certain lands within the Indiana Territory, involving conditions which require legislative provision, I submit copies thereof to both branches for consideration.

JAMES MADISON.

MARCH 27, 1810.

To the House of Representatives of the United States:

In consequence of your resolution of the 26th instant, an inquiry has been made into the correspondence of our minister at the Court of London with the Department of State, from which it appears that no official communication has been received from him since his receipt of the letter of November 23 last from the Secretary of State. A letter of January 4, 1810, has been received from that minister by Mr. Smith, but being stated to be private and unofficial, and involving, moreover, personal considerations of a delicate nature, a copy is considered as not within the purview of the call of the House.

JAMES MADISON.

PROCLAMATIONS.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas the territory south of the Mississippi Territory and eastward of the river Mississippi, and extending to the river Perdido, of which possession was not delivered to the United States in pursuance of the treaty concluded at Paris on the 30th April, 1803, has at all times, as is well known, been considered and claimed by them as being within the colony of Louisiana conveyed by the said treaty in the same extent that it had in the hands of Spain and that it had when France originally possessed it; and

Whereas the acquiescence of the United States in the temporary continuance of the said territory under the Spanish authority was not the result of any distrust of their title, as has been particularly evinced by the general tenor of their laws and by the distinction made in the application of those laws between that territory and foreign countries, but was occasioned by their conciliatory views and by a confidence in the justice of their cause and in the success of candid discussion and amicable negotiation with a just and friendly power; and

Whereas a satisfactory adjustment, too long delayed, without the fault of the United States, has for some time been entirely suspended by events over which they had no control; and

Whereas a crisis has at length arrived subversive of the order of things under the Spanish authorities, whereby a failure of the United States to take the said territory into its possession may lead to events ultimately contravening the views of both parties, whilst in the meantime the tranquillity and security of our adjoining territories are endangered and new facilities given to violations of our revenue and commercial laws and of those prohibiting the introduction of slaves;

Considering, moreover, that under these peculiar and imperative circumstances a forbearance on the part of the United States to occupy the territory in question, and thereby guard against the confusions and contingencies which threaten it, might be construed into a dereliction of their title or an insensibility to the importance of the stake; considering that in the hands of the United States it will not cease to be a subject of fair and friendly negotiation and adjustment; considering, finally, that the acts of Congress, though contemplating a present possession by a foreign authority, have contemplated also an eventual possession of the said territory by the United States, and are accordingly so framed as in that case to extend in their operation to the same:

Now be it known that I, James Madison, President of the United States of America, in pursuance of these weighty and urgent considerations, have deemed it right and requisite that possession should be taken of the said territory in the name and behalf of the United States. William C. C. Claiborne, governor of the Orleans Territory, of which the said Territory is to be taken as part, will accordingly proceed to execute the same and to exercise over the said Territory the authorities and functions legally appertaining to his office; and the good people inhabiting the same are invited and enjoined to pay due respect to him in that character, to be obedient to the laws, to maintain order, to cherish harmony, and in every manner to conduct themselves as peaceable citizens, under full assurance that they will be protected in the enjoyment of their liberty, property, and religion.

In testimony whereof I have caused the seal of the United States to be hereunto affixed, and signed the same with my hand.

[SEAL.] Done at the city of Washington, the 27th day of October, A. D. 1810, and in the thirty-fifth year of the Independence of the said United States.

JAMES MADISON.

By the President:

R. SMITH,
Secretary of State.

[From Annals of Congress, Eleventh Congress, third session, 1248.]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas by the fourth section of the act of Congress passed on the 1st day of May, 1810, entitled "An act concerning the commercial intercourse between the United States and Great Britain and France and their dependencies, and for other purposes," it is provided "that in case either Great Britain or France shall before the 3d day of March next so revoke or modify her edicts as that they shall cease to violate the neutral commerce of the United States, which fact the President of the United States shall declare by proclamation and if the other nation shall not within three months thereafter so revoke or modify her edicts in like manner, then the third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, and eighteenth sections of the act entitled 'An act to interdict the commercial intercourse between the United States and Great Britain and France and their dependencies, and for other purposes,' shall from and after the expiration of three months from the date of the proclamation aforesaid be revived and have full force and effect so far as relates to the dominions, colonies, and dependencies, and to the articles the growth, produce, or manufacture of the dominions, colonies, and dependencies, of the nation thus refusing or neglecting to revoke or modify her edicts in the manner aforesaid. And the restrictions imposed by this act shall, from the date of such proclamation cease and be discontinued in relation to the nation revoking or modifying her decrees in the manner aforesaid;" and

Whereas it has been officially made known to this Government that the edicts of France violating the neutral commerce of the United States have been so revoked as to cease to have effect on the 1st of the present month:

Now, therefore, I, James Madison, President of the United States, do hereby proclaim that the said edicts of France have been so revoked as that they ceased on the said 1st day of the present month to violate the neutral commerce of the United States, and that from the date of these presents all the restrictions imposed by the aforesaid act shall cease and be discontinued in relation to France and their dependencies.

In testimony whereof I have caused the seal of the United States to be hereunto affixed, and signed the same with my hand, at the [SEAL.] city of Washington, this 2d day of November, A. D. 1810, and of the Independence of the United States the thirty-fifth.

JAMES MADISON.

By the President:

R. SMITH,
Secretary of State.

SECOND ANNUAL MESSAGE.

WASHINGTON, *December 5, 1810.*

Fellow-Citizens of the Senate and of the House of Representatives:

The embarrassments which have prevailed in our foreign relations, and so much employed the deliberations of Congress, make it a primary duty in meeting you to communicate whatever may have occurred in that branch of our national affairs.

The act of the last session of Congress concerning the commercial intercourse between the United States and Great Britain and France and their dependencies having invited in a new form a termination of their edicts against our neutral commerce, copies of the act were immediately forwarded to our ministers at London and Paris, with a view that its object might be within the early attention of the French and British Governments.

By the communication received through our minister at Paris it appeared that a knowledge of the act by the French Government was followed by a declaration that the Berlin and Milan decrees were revoked, and would cease to have effect on the 1st day of November ensuing. These being the only known edicts of France within the description of the act, and the revocation of them being such that they ceased at that date to violate our neutral commerce, the fact, as prescribed by law, was announced by a proclamation bearing date the 2d day of November.

It would have well accorded with the conciliatory views indicated by this proceeding on the part of France to have extended them to all the grounds of just complaint which now remain unadjusted with the United States. It was particularly anticipated that, as a further evidence of just dispositions toward them, restoration would have been immediately made of the property of our citizens seized under a misapplication of the principle of reprisals combined with a misconstruction of a law of the United States. This expectation has not been fulfilled.

From the British Government no communication on the subject of the act has been received. To a communication from our minister at London of a revocation by the French Government of its Berlin and Milan decrees it was answered that the British system would be relinquished as soon as the repeal of the French decrees should have actually taken effect and the commerce of neutral nations have been restored to the condition in which it stood previously to the promulgation of those decrees. This pledge, although it does not necessarily import, does not exclude the intention of relinquishing, along with the orders in council, the practice of those novel blockades which have a like effect of interrupting our neutral commerce, and this further justice to the United States is the rather to be looked for, inasmuch as the blockades in question, being not more contrary to the established law of nations than inconsistent with the rules of blockade formally recognized by Great Britain herself, could have no alleged basis other than the plea of retaliation alleged as the basis of the orders in council. Under the modification of the original orders of November, 1807, into the orders of April, 1809, there is, indeed, scarcely a nominal distinction between the orders and the blockades. One of those illegitimate blockades, bearing date in May, 1806, having been expressly avowed to be still unrescinded, and to be in effect comprehended in the orders in council, was too distinctly brought within the purview of the act of Congress not to be comprehended in the explanation of the requisites to a compliance with it. The British Government was accordingly apprised by our minister near it that such was the light in which the subject was to be regarded.

On the other important subjects depending between the United States and that Government no progress has been made from which an early and satisfactory result can be relied on.

In this new posture of our relations with those powers the consideration of Congress will be properly turned to a removal of doubts which may occur in the exposition and of difficulties in the execution of the act above cited.

The commerce of the United States with the north of Europe, heretofore much vexed by licentious cruisers, particularly under the Danish flag, has latterly been visited with fresh and extensive depredations. The measures pursued in behalf of our injured citizens not having obtained justice for them, a further and more formal interposition with the Danish Government is contemplated. The principles which have been maintained by that Government in relation to neutral commerce, and the friendly professions of His Danish Majesty toward the United States, are valuable pledges in favor of a successful issue.

Among the events growing out of the state of the Spanish Monarchy, our attention was imperiously attracted to the change developing itself in that portion of West Florida which, though of right appertaining to the United States, had remained in the possession of Spain awaiting the result of negotiations for its actual delivery to them. The Spanish authority was subverted and a situation produced exposing the country to ulterior events which might essentially affect the rights and welfare of the Union. In such a conjuncture I did not delay the interposition required for the occupancy of the territory west of the river Perdido, to which the title of the United States extends, and to which the laws provided for the Territory of Orleans are applicable. With this view, the proclamation of which a copy is laid before you was confided to the governor of that Territory to be carried into effect. The legality and necessity of the course pursued assure me of the favorable light in which it will present itself to the Legislature, and of the promptitude with which they will supply whatever provisions may be due to the essential rights and equitable interests of the people thus brought into the bosom of the American family.

Our amity with the powers of Barbary, with the exception of a recent occurrence at Tunis, of which an explanation is just received, appears to have been uninterrupted and to have become more firmly established.

With the Indian tribes also the peace and friendship of the United States are found to be so eligible that the general disposition to preserve both continues to gain strength.

I feel particular satisfaction in remarking that an interior view of our country presents us with grateful proofs of its substantial and increasing prosperity. To a thriving agriculture and the improvements related to it is added a highly interesting extension of useful manufactures, the combined product of professional occupations and of household industry.

Such indeed is the experience of economy as well as of policy in these substitutes for supplies heretofore obtained by foreign commerce that in a national view the change is justly regarded as of itself more than a recompense for those privations and losses resulting from foreign injustice which furnished the general impulse required for its accomplishment. How far it may be expedient to guard the infancy of this improvement in the distribution of labor by regulations of the commercial tariff is a subject which can not fail to suggest itself to your patriotic reflections.

It will rest with the consideration of Congress also whether a provident as well as fair encouragement would not be given to our navigation by such regulations as would place it on a level of competition with foreign vessels, particularly in transporting the important and bulky productions of our own soil. The failure of equality and reciprocity in the existing regulations on this subject operates in our ports as a premium to foreign competitors, and the inconvenience must increase as these may be multiplied under more favorable circumstances by the more than countervailing encouragements now given them by the laws of their respective countries.

Whilst it is universally admitted that a well-instructed people alone can be permanently a free people, and whilst it is evident that the means of diffusing and improving useful knowledge form so small a proportion of the expenditures for national purposes, I can not presume it to be unseasonable to invite your attention to the advantages of superadding to the means of education provided by the several States a seminary of learning instituted by the National Legislature within the limits of their exclusive jurisdiction, the expense of which might be defrayed or reimbursed out of the vacant grounds which have accrued to the nation within those limits.

Such an institution, though local in its legal character, would be universal in its beneficial effects. By enlightening the opinions, by expanding the patriotism, and by assimilating the principles, the sentiments, and the manners of those who might resort to this temple of science, to be redistributed in due time through every part of the community, sources of jealousy and prejudice would be diminished, the features of national character would be multiplied, and greater extent given to social harmony. But, above all, a well-constituted seminary in the center of the nation is recommended by the consideration that the additional instruction emanating from it would contribute not less to strengthen the foundations than to adorn the structure of our free and happy system of government.

Among the commercial abuses still committed under the American flag, and leaving in force my former reference to that subject, it appears that American citizens are instrumental in carrying on a traffic in enslaved Africans, equally in violation of the laws of humanity and in defiance of those of their own country. The same just and benevolent motives which produced the interdiction in force against this criminal conduct will doubtless be felt by Congress in devising further means of suppressing the evil.

In the midst of uncertainties necessarily connected with the great interests of the United States, prudence requires a continuance of our defensive and precautionary arrangement. The Secretary of War and Secretary of the Navy will submit the statements and estimates which may aid Congress in their ensuing provisions for the land and naval forces. The statements of the latter will include a view of the transfers of appropriations in the naval expenditures and the grounds on which they were made.

The fortifications for the defense of our maritime frontier have been prosecuted according to the plan laid down in 1808. The works, with some exceptions, are completed and furnished with ordnance. Those for the security of the city of New York, though far advanced toward completion, will require a further time and appropriation. This is the case with a few others, either not completed or in need of repairs.

The improvements in quality and quantity made in the manufacture of cannon and small arms, both at the public armories and private factories, warrant additional confidence in the competency of these resources for supplying the public exigencies.

These preparations for arming the militia having thus far provided for one of the objects contemplated by the power vested in Congress with respect to that great bulwark of the public safety, it is for their consideration whether further provisions are not requisite for the other contemplated objects of organization and discipline. To give to this great mass of physical and moral force the efficiency which it merits, and is capable of receiving, it is indispensable that they should be instructed and practiced in the rules by which they are to be governed. Toward an accomplishment of this important work I recommend for the consideration of Congress the expediency of instituting a system which shall in the first instance call into the field at the public expense and for a given time certain portions of the commissioned and noncommissioned officers. The instruction and discipline thus acquired would gradually diffuse through the entire body of the militia that practical knowledge and promptitude for active service which are the great ends to be pursued. Experience has left no doubt either of the necessity or of the efficacy of competent military skill in those portions of an army in fitting it for the final duties which it may have to perform.

The Corps of Engineers, with the Military Academy, are entitled to the early attention of Congress. The buildings at the seat fixed by law for the present Academy are so far in decay as not to afford the necessary accommodation. But a revision of the law is recommended, principally with a view to a more enlarged cultivation and diffusion of the advantages of such institutions, by providing professorships for all the necessary branches of military instruction, and by the establishment of an additional academy at the seat of Government or elsewhere. The means by which war, as well for defense as for offense, are now carried on render these schools of the more scientific operations an indispensable part of every adequate system. Even among nations whose large standing armies and frequent wars afford every other opportunity of instruction these establishments are found to be indispensable for the due attainment of the branches of military science which require a regular course of study and experiment. In a government happily without the other opportunities seminaries where the elementary principles of the art of war can be taught without actual war, and without the expense of extensive and standing armies, have the precious advantage of uniting an essential preparation against external danger with a scrupulous regard to internal safety. In no other way, probably, can a provision of equal efficacy for the public defense be made at so little expense or more consistently with the public liberty.

The receipts into the Treasury during the year ending on the 30th of September last (and amounting to more than $8,500,000) have exceeded the current expenses of the Government, including the interest on the public debt. For the purpose of reimbursing at the end of the year $3,750,000 of the principal, a loan, as authorized by law, had been negotiated to that amount, but has since been reduced to $2,750,000, the reduction being permitted by the state of the Treasury, in which there will be a balance remaining at the end of the year estimated at $2,000,000. For the probable receipts of the next year and other details I refer to statements which will be transmitted from the Treasury, and which will enable you to judge what further provisions may be necessary for the ensuing years.

Reserving for future occasions in the course of the session whatever other communications may claim your attention, I close the present by expressing my reliance, under the blessing of Divine Providence, on the judgment and patriotism which will guide your measures at a period particularly calling for united councils and inflexible exertions for the welfare of our country, and by assuring you of the fidelity and alacrity with which my cooperation will be afforded.

JAMES MADISON.

SPECIAL MESSAGES.

DECEMBER 12, 1810.

To the Senate and House of Representatives of the United States:

I lay before Congress, and recommend to their early attention, a report of the Secretary of State, from which it will be seen that a very considerable demand beyond the legal appropriations has been incurred.

for the support of seamen distressed by seizures, in different parts of Europe, of the vessels to which they belonged.

JAMES MADISON.

WASHINGTON, *January 3, 1811.*

To the Senate and House of Representatives of the United States:

I communicate to Congress, in confidence, a letter of the 2d of December from Governor Folch, of West Florida, to the Secretary of State, and another of the same date from the same to John McKee.

I communicate in like manner a letter from the British chargé d'affaires to the Secretary of State, with the answer of the latter. Although the letter can not have been written in consequence of any instruction from the British Government founded on the late order for taking possession of the portion of West Florida well known to be claimed by the United States; although no communication has ever been made by that Government to this of any stipulation with Spain contemplating an interposition which might so materially affect the United States, and although no call can have been made by Spain in the present instance for the fulfillment of any such subsisting engagement, yet the spirit and scope of the document, with the accredited source from which it proceeds, required that it should not be withheld from the consideration of Congress.

Taking into view the tenor of these several communications, the posture of things with which they are connected, the intimate relation of the country adjoining the United States eastward of the river Perdido to their security and tranquillity, and the peculiar interest they otherwise have in its destiny, I recommend to the consideration of Congress the seasonableness of a declaration that the United States could not see without serious inquietude any part of a neighboring territory in which they have in different respects so deep and so just a concern pass from the hands of Spain into those of any other foreign power.

I recommend to their consideration also the expediency of authorizing the Executive to take temporary possession of any part or parts of the said Territory, in pursuance of arrangements which may be desired by the Spanish authorities, and for making provision for the government of the same during such possession.

The wisdom of Congress will at the same time determine how far it may be expedient to provide for the event of a subversion of the Spanish authorities within the Territory in question, and an apprehended occupancy thereof by any other foreign power.

JAMES MADISON.

JANUARY 10, 1811.

To the Senate and House of Representatives of the United States:

I communicate to Congress, in confidence, the translation of a letter from Louis de Onis to the captain-general of Caraccas.

The tendency of misrepresentations and suggestions which it may be inferred from this specimen enter into more important correspondences of the writer to promote in foreign councils at a critical period views adverse to the peace and to the best interests of our country renders the contents of the letter of sufficient moment to be made known to the Legislature.

JAMES MADISON.

JANUARY 30, 1811.

To the Senate and House of Representatives of the United States:

I transmit to Congress copies of a letter from the Secretary of the Treasury, accompanied by copies of the Laws, Treaties, and other Documents Relative to the Public Lands, as collected and arranged pursuant to the act passed April 27, 1810.

JAMES MADISON.

JANUARY 31, 1811.

To the Senate and House of Representatives of the United States:

I lay before Congress a letter from the chargé d'affaires of the United States at Paris to the Secretary of State, and another from the same to the French minister of foreign relations; also two letters from the agent of the American consul at Bordeaux to the Secretary of State.

JAMES MADISON.

FEBRUARY 16, 1811.

To the Senate and House of Representatives of the United States:

I now lay before Congress the treaty concluded on the 10th of November, 1808, on the part of the United States with the Great and Little Osage tribes of Indians, with a view to such legal provisions as may be deemed proper for fulfilling its stipulations.

JAMES MADISON.

VETO MESSAGES.

FEBRUARY 21, 1811.

To the House of Representatives of the United States:

Having examined and considered the bill entitled "An act incorporating the Protestant Episcopal Church in the town of Alexandria, in the

District of Columbia," I now return the bill to the House of Representatives, in which it originated, with the following objections:

Because the bill exceeds the rightful authority to which governments are limited by the essential distinction between civil and religious functions, and violates in particular the article of the Constitution of the United States which declares that "Congress shall make no law respecting a religious establishment." The bill enacts into and establishes by law sundry rules and proceedings relative purely to the organization and polity of the church incorporated, and comprehending even the election and removal of the minister of the same, so that no change could be made therein by the particular society or by the general church of which it is a member, and whose authority it recognizes. This particular church, therefore, would so far be a religious establishment by law, a legal force and sanction being given to certain articles in its constitution and administration. Nor can it be considered that the articles thus established are to be taken as the descriptive criteria only of the corporate identity of the society, inasmuch as this identity must depend on other characteristics, as the regulations established are generally unessential and alterable according to the principles and canons by which churches of that denomination govern themselves, and as the injunctions and prohibitions contained in the regulations would be enforced by the penal consequences applicable to a violation of them according to the local law.

Because the bill vests in the said incorporated church an authority to provide for the support of the poor and the education of poor children of the same, an authority which, being altogether superfluous if the provision is to be the result of pious charity, would be a precedent for giving to religious societies as such a legal agency in carrying into effect a public and civil duty.

JAMES MADISON.

FEBRUARY 28, 1811.

To the House of Representatives of the United States:

Having examined and considered the bill entitled "An act for the relief of Richard Tervin, William Coleman, Edwin Lewis, Samuel Mims, Joseph Wilson, and the Baptist Curch at Salem Meeting House, in the Mississippi Territory," I now return the same to the House of Representatives, in which it originated, with the following objection:

Because the bill in reserving a certain parcel of land of the United States for the use of said Baptist Church comprises a principle and precedent for the appropriation of funds of the United States for the use and support of religious societies, contrary to the article of the Constitution which declares that "Congress shall make no law respecting a religious establishment."

JAMES MADISON.

PROCLAMATION.

[From the National Intelligencer, July 25, 1811.]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas great and weighty matters claiming the consideration of the Congress of the United States form an extraordinary occasion for convening them, I do by these presents appoint Monday, the 4th day of November next, for their meeting at the city of Washington, hereby requiring the respective Senators and Representatives then and there to assemble in Congress, in order to receive such communications as may then be made to them, and to consult and determine on such measures as in their wisdom may be deemed meet for the welfare of the United States.

In testimony whereof I have caused the seal of the United States to be hereunto affixed, and signed the same with my hand.

[SEAL.] Done at the city of Washington, the 24th day of July, A. D. 1811, and of the Independence of the United States the thirty-sixth.

JAMES MADISON.

By the President:
JAMES MONROE,
Secretary of State.

THIRD ANNUAL MESSAGE.

WASHINGTON, *November 5, 1811.*

Fellow-Citizens of the Senate and of the House of Representatives:

In calling you together sooner than a separation from your homes would otherwise have been required I yielded to considerations drawn from the posture of our foreign affairs, and in fixing the present for the time of your meeting regard was had to the probability of further developments of the policy of the belligerent powers toward this country which might the more unite the national councils in the measures to be pursued.

At the close of the last session of Congress it was hoped that the successive confirmations of the extinction of the French decrees, so far as they violated our neutral commerce, would have induced the Government of Great Britain to repeal its orders in council, and thereby authorize a removal of the existing obstructions to her commerce with the United States.

Instead of this reasonable step toward satisfaction and friendship between the two nations, the orders were, at a moment when least to have been expected, put into more rigorous execution; and it was communicated through the British envoy just arrived that whilst the revocation of the edicts of France, as officially made known to the British Government, was denied to have taken place, it was an indispensable condition of the repeal of the British orders that commerce should be restored to a footing that would admit the productions and manufactures of Great Britain, when owned by neutrals, into markets shut against them by her enemy, the United States being given to understand that in the meantime a continuance of their nonimportation act would lead to measures of retaliation.

At a later date it has indeed appeared that a communication to the British Government of fresh evidence of the repeal of the French decrees against our neutral trade was followed by an intimation that it had been transmitted to the British plenipotentiary here in order that it might receive full consideration in the depending discussions. This communication appears not to have been received; but the transmission of it hither, instead of founding on it an actual repeal of the orders or assurances that the repeal would ensue, will not permit us to rely on any effective change in the British cabinet. To be ready to meet with cordiality satisfactory proofs of such a change, and to proceed in the meantime in adapting our measures to the views which have been disclosed through that minister will best consult our whole duty.

In the unfriendly spirit of those disclosures indemnity and redress for other wrongs have continued to be withheld, and our coasts and the mouths of our harbors have again witnessed scenes not less derogatory to the dearest of our national rights than vexatious to the regular course of our trade.

Among the occurrences produced by the conduct of British ships of war hovering on our coasts was an encounter between one of them and the American frigate commanded by Captain Rodgers, rendered unavoidable on the part of the latter by a fire commenced without cause by the former, whose commander is therefore alone chargeable with the blood unfortunately shed in maintaining the honor of the American flag. The proceedings of a court of inquiry requested by Captain Rodgers are communicated, together with the correspondence relating to the occurrence, between the Secretary of State and His Britannic Majesty's envoy. To these are added the several correspondences which have passed on the subject of the British orders in council, and to both the correspondence relating to the Floridas, in which Congress will be made acquainted with the interposition which the Government of Great Britain has thought proper to make against the proceeding of the United States.

The justice and fairness which have been evinced on the part of the United States toward France, both before and since the revocation of her decrees, authorized an expectation that her Government would have followed up that measure by all such others as were due to our reasonable claims, as well as dictated by its amicable professions. No proof, however, is yet given of an intention to repair the other wrongs done to the United States, and particularly to restore the great amount of American property seized and condemned under edicts which, though not affecting our neutral relations, and therefore not entering into questions between the United States and other belligerents, were nevertheless founded in such unjust principles that the reparation ought to have been prompt and ample.

In addition to this and other demands of strict right on that nation, the United States have much reason to be dissatisfied with the rigorous and unexpected restrictions to which their trade with the French dominions has been subjected, and which, if not discontinued, will require at least corresponding restrictions on importations from France into the United States.

On all those subjects our minister plenipotentiary lately sent to Paris has carried with him the necessary instructions, the result of which will be communicated to you, and, by ascertaining the ulterior policy of the French Government toward the United States, will enable you to adapt to it that of the United States toward France.

Our other foreign relations remain without unfavorable changes. With Russia they are on the best footing of friendship. The ports of Sweden have afforded proofs of friendly dispositions toward our commerce in the councils of that nation also, and the information from our special minister to Denmark shews that the mission had been attended with valuable effects to our citizens, whose property had been so extensively violated and endangered by cruisers under the Danish flag.

Under the ominous indications which commanded attention it became a duty to exert the means committed to the executive department in providing for the general security. The works of defense on our maritime frontier have accordingly been prosecuted with an activity leaving little to be added for the completion of the most important ones, and, as particularly suited for cooperation in emergencies, a portion of the gunboats have in particular harbors been ordered into use. The ships of war before in commission, with the addition of a frigate, have been chiefly employed as a cruising guard to the rights of our coast, and such a disposition has been made of our land forces as was thought to promise the services most appropriate and important. In this disposition is included a force consisting of regulars and militia, embodied in the Indiana Territory and marched toward our northwestern frontier. This measure was made requisite by several murders and depredations committed by Indians, but more especially by the menacing preparations and aspect of a combination of them on the Wabash, under the influence and direction of a fanatic of the Shawanese tribe. With these exceptions the Indian tribes retain their peaceable dispositions toward us, and their usual pursuits.

I must now add that the period is arrived which claims from the legislative guardians of the national rights a system of more ample provisions for maintaining them. Notwithstanding the scrupulous justice, the protracted moderation, and the multiplied efforts on the part of the United States to substitute for the accumulating dangers to the peace of the two countries all the mutual advantages of reestablished friendship and confidence, we have seen that the British cabinet perseveres not only in withholding a remedy for other wrongs, so long and so loudly calling for it, but in the execution, brought home to the threshold of our territory, of measures which under existing circumstances have the character as well as the effect of war on our lawful commerce.

With this evidence of hostile inflexibility in trampling on rights which no independent nation can relinquish, Congress will feel the duty of putting the United States into an armor and an attitude demanded by the crisis, and corresponding with the national spirit and expectations.

I recommend, accordingly, that adequate provision be made for filling the ranks and prolonging the enlistments of the regular troops; for an auxiliary force to be engaged for a more limited term; for the acceptance of volunteer corps, whose patriotic ardor may court a participation in urgent services; for detachments as they may be wanted of other portions of the militia, and for such a preparation of the great body as will proportion its usefulness to its intrinsic capacities. Nor can the occasion fail to remind you of the importance of those military seminaries which in every event will form a valuable and frugal part of our military establishment.

The manufacture of cannon and small arms has proceeded with due success, and the stock and resources of all the necessary munitions are adequate to emergencies. It will not be inexpedient, however, for Congress to authorize an enlargement of them.

Your attention will of course be drawn to such provisions on the subject of our naval force as may be required for the services to which it may be best adapted. I submit to Congress the seasonableness also of an authority to augment the stock of such materials as are imperishable in their nature, or may not at once be attainable.

In contemplating the scenes which distinguish this momentous epoch, and estimating their claims to our attention, it is impossible to overlook those developing themselves among the great communities which occupy the southern portion of our own hemisphere and extend into our neighborhood. An enlarged philanthropy and an enlightened forecast concur in imposing on the national councils an obligation to take a deep interest in their destinies, to cherish reciprocal sentiments of good will, to regard the progress of events, and not to be unprepared for whatever order of things may be ultimately established.

Under another aspect of our situation the early attention of Congress will be due to the expediency of further guards against evasions and infractions of our commercial laws. The practice of smuggling, which is odious everywhere, and particularly criminal in free governments, where, the laws being made by all for the good of all, a fraud is committed on every individual as well as on the state, attains its utmost guilt when it blends with a pursuit of ignominious gain a treacherous subserviency, in the transgressors, to a foreign policy adverse to that of their own country. It is then that the virtuous indignation of the public should be enabled to manifest itself through the regular animadversions of the most competent laws.

To secure greater respect to our mercantile flag, and to the honest interests which it covers, it is expedient also that it be made punishable in our citizens to accept licenses from foreign governments for a trade unlawfully interdicted by them to other American citizens, or to trade under false colors or papers of any sort.

A prohibition is equally called for against the acceptance by our citizens of special licenses to be used in a trade with the United States, and against the admission into particular ports of the United States of vessels from foreign countries authorized to trade with particular ports only.

Although other subjects will press more immediately on your deliberations, a portion of them can not but be well bestowed on the just and sound policy of securing to our manufactures the success they have attained, and are still attaining, in some degree, under the impulse of causes not permanent, and to our navigation, the fair extent of which is at present abridged by the unequal regulations of foreign governments.

Besides the reasonableness of saving our manufactures from sacrifices which a change of circumstances might bring on them, the national interest requires that, with respect to such articles at least as belong to our defense and our primary wants, we should not be left in unnecessary dependence on external supplies. And whilst foreign governments adhere to the existing discriminations in their ports against our navigation, and an equality or lesser discrimination is enjoyed by their navigation in our ports, the effect can not be mistaken, because it has been seriously felt by our shipping interests; and in proportion as this takes place the advantages of an independent conveyance of our products to foreign markets and of a growing body of mariners trained by their occupations for the service of their country in times of danger must be diminished.

The receipts into the Treasury during the year ending on the 30th of September last have exceeded $13,500,000, and have enabled us to defray the current expenses, including the interest on the public debt, and to reimburse more than $5,000,000 of the principal without recurring to the loan authorized by the act of the last session. The temporary loan obtained in the latter end of the year 1810 has also been reimbursed, and is not included in that amount.

The decrease of revenue arising from the situation of our commerce, and the extraordinary expenses which have and may become necessary, must be taken into view in making commensurate provisions for the ensuing year; and I recommend to your consideration the propriety of insuring a sufficiency of annual revenue at least to defray the ordinary expenses of Government, and to pay the interest on the public debt, including that on new loans which may be authorized.

I can not close this communication without expressing my deep sense of the crisis in which you are assembled, my confidence in a wise and honorable result to your deliberations, and assurances of the faithful zeal with which my cooperating duties will be discharged, invoking at the same time the blessing of Heaven on our beloved country and on all the means that may be employed in vindicating its rights and advancing its welfare.

JAMES MADISON.

SPECIAL MESSAGES.

WASHINGTON, *November 13, 1811.*

To the Senate and House of Representatives of the United States:

I communicate to Congress copies of a correspondence between the envoy extraordinary and minister plenipotentiary of Great Britain and the Secretary of State relative to the aggression committed by a British ship of war on the United States frigate *Chesapeake*, by which it will be seen that that subject of difference between the two countries is terminated by an offer of reparation, which has been acceded to.

JAMES MADISON.

WASHINGTON, *December 18, 1811.*

To the Senate and House of Representatives of the United States:

I lay before Congress two letters received from Governor Harrison, of the Indiana Territory, reporting the particulars and the issue of the expedition under his command, of which notice was taken in my communication of November 5.

While it is deeply lamented that so many valuable lives have been lost in the action which took place on the 7th ultimo, Congress will see with satisfaction the dauntless spirit and fortitude victoriously displayed by every description of the troops engaged, as well as the collected firmness which distinguished their commander on an occasion requiring the utmost exertions of valor and discipline.

It may reasonably be expected that the good effects of this critical defeat and dispersion of a combination of savages, which appears to have been spreading to a greater extent, will be experienced not only in a cessation of the murders and depredations committed on our frontier, but in the prevention of any hostile incursions otherwise to have been apprehended.

The families of those brave and patriotic citizens who have fallen in this severe conflict will doubtless engage the favorable attention of Congress.

JAMES MADISON.

WASHINGTON, *December 23, 1811.*

To the Senate and House of Representatives of the United States:

I communicate to Congress copies of an act of the legislature of New York relating to a canal from the Great Lakes to Hudson River. In making the communication I consult the respect due to that State, in whose behalf the commissioners appointed by the act have placed it in my hands for the purpose.

The utility of canal navigation is universally admitted. It is no less certain that scarcely any country offers more extensive opportunities for that branch of improvements than the United States, and none, perhaps, inducements equally persuasive to make the most of them. The particular undertaking contemplated by the State of New York, which marks an honorable spirit of enterprise and comprises objects of national as well as more limited importance, will recall the attention of Congress to the signal advantages to be derived to the United States from a general system of internal communication and conveyance, and suggest to their consideration whatever steps may be proper on their part toward its introduction and accomplishment. As some of those advantages have an intimate connection with the arrangements and exertions for the general security, it is at a period calling for those that the merits of such a system will be seen in the strongest lights.

JAMES MADISON.

WASHINGTON, *December 27, 1811.*

To the Senate and House of Representatives of the United States:

I lay before Congress copies of resolutions entered into by the legislature of Pennsylvania, which have been transmitted to me with that view by the governor of that State, in pursuance of one of the said resolutions.

JAMES MADISON.

WASHINGTON, *January 15, 1812.*

To the Senate and House of Representatives of the United States:

I transmit to Congress an account of the contingent expenses of the Government for the year 1811, incurred on the occasion of taking possession of the territory limited eastwardly by the river Perdido, and amounting to $3,396.

JAMES MADISON.

WASHINGTON, *January 16, 1812.*

To the Senate and House of Representatives of the United States:

I communicate to Congress a letter from the envoy extraordinary and minister plenipotentiary of Great Britain to the Secretary of State, with the answer of the latter.

The continued evidence afforded in this correspondence of the hostile policy of the British Government against our national rights strengthens the considerations recommending and urging the preparation of adequate means for maintaining them.

JAMES MADISON.

MARCH 3, 1812.

To the Senate and House of Representatives of the United States:

At the request of the convention assembled in the Territory of Orleans on the 22d day of November last, I transmit to Congress the proceedings of that body in pursuance of the act entitled "An act to enable the people of the Territory of Orleans to form a constitution and State government, and for the admission of the said State into the Union on an equal footing with the original States, and for other purposes."

JAMES MADISON.

MARCH 9, 1812.

To the Senate and House of Representatives of the United States:

I lay before Congress copies of certain documents which remain in the Department of State. They prove that at a recent period, whilst the United States, notwithstanding the wrongs sustained by them, ceased not to observe the laws of peace and neutrality toward Great Britain, and in the midst of amicable professions and negotiations on the part of the British Government, through its public minister here, a secret agent of that Government was employed in certain States, more especially at the seat of government in Massachusetts, in fomenting disaffection to the constituted authorities of the nation, and in intrigues with the disaffected, for the purpose of bringing about resistance to the laws, and eventually, in concert with a British force, of destroying the Union and forming the eastern part thereof into a political connection with Great Britain.

In addition to the effect which the discovery of such a procedure ought to have on the public councils, it will not fail to render more dear to the hearts of all good citizens that happy union of these States which, under Divine Providence, is the guaranty of their liberties, their safety, their tranquillity, and their prosperity.

JAMES MADISON.

APRIL 1, 1812.

To the Senate and House of Representatives of the United States:

Considering it as expedient, under existing circumstances and prospects, that a general embargo be laid on all vessels now in port, or hereafter arriving, for the period of sixty days, I recommend the immediate passage of a law to that effect.

JAMES MADISON.

APRIL 20, 1812.

To the Senate and House of Representatives of the United States:

Among the incidents to the unexampled increase and expanding interests of the American nation under the fostering influence of free constitutions and just laws has been a corresponding accumulation of duties in the several Departments of the Government, and this has been necessarily the greater in consequence of the peculiar state of our foreign relations and the connection of these with our internal administration.

The extensive and multiplied preparations into which the United States are at length driven for maintaining their violated rights have caused this augmentation of business to press on the Department of War particularly, with a weight disproportionate to the powers of any single officer, with no other aids than are authorized by existing laws. With a view to a more adequate arrangement for the essential objects of that Department, I recommend to the early consideration of Congress a provision for two subordinate appointments therein, with such compensations annexed as may be reasonably expected by citizens duly qualified for the important functions which may be properly assigned to them.

JAMES MADISON.

MAY 26, 1812.

To the Senate and House of Representatives of the United States:

I communicate to Congress, for their information, copies and extracts from the correspondence of the Secretary of State and the minister plenipotentiary of the United States at Paris. These documents will place before Congress the actual posture of our relations with France.

JAMES MADISON.

WASHINGTON, *June 1, 1812.*

To the Senate and House of Representatives of the United States:

I communicate to Congress certain documents, being a continuation of those heretofore laid before them on the subject of our affairs with Great Britain.

Without going back beyond the renewal in 1803 of the war in which Great Britain is engaged, and omitting unrepaired wrongs of inferior magnitude, the conduct of her Government presents a series of acts hostile to the United States as an independent and neutral nation.

British cruisers have been in the continued practice of violating the American flag on the great highway of nations, and of seizing and carrying off persons sailing under it, not in the exercise of a belligerent right founded on the law of nations against an enemy, but of a municipal prerogative over British subjects. British jurisdiction is thus extended to neutral vessels in a situation where no laws can operate but the law of nations and the laws of the country to which the vessels belong, and a self-redress is assumed which, if British subjects were wrongfully detained and alone concerned, is that substitution of force for a resort to the responsible sovereign which falls within the definition of war. Could the seizure of British subjects in such cases be regarded as within the exercise of a belligerent right, the acknowledged laws of war, which forbid an article of captured property to be adjudged without a regular investigation before a competent tribunal, would imperiously demand the fairest trial where the sacred rights of persons were at issue. In place of such a trial these rights are subjected to the will of every petty commander.

The practice, hence, is so far from affecting British subjects alone that, under the pretext of searching for these, thousands of American citizens, under the safeguard of public law and of their national flag, have been torn from their country and from everything dear to them; have been dragged on board ships of war of a foreign nation and exposed, under the severities of their discipline, to be exiled to the most distant and deadly climes, to risk their lives in the battles of their oppressors, and to be the melancholy instruments of taking away those of their own brethren.

Against this crying enormity, which Great Britain would be so prompt to avenge if committed against herself, the United States have in vain exhausted remonstrances and expostulations, and that no proof might be wanting of their conciliatory dispositions, and no pretext left for a continuance of the practice, the British Government was formally assured of the readiness of the United States to enter into arrangements such as could not be rejected if the recovery of British subjects were the real and the sole object. The communication passed without effect.

British cruisers have been in the practice also of violating the rights and the peace of our coasts. They hover over and harass our entering and departing commerce. To the most insulting pretensions they have added the most lawless proceedings in our very harbors, and have wantonly spilt American blood within the sanctuary of our territorial jurisdiction. The principles and rules enforced by that nation, when a neutral nation, against armed vessels of belligerents hovering near her coasts and disturbing her commerce are well known. When called on, nevertheless, by the United States to punish the greater offenses committed by her own vessels, her Government has bestowed on their commanders additional marks of honor and confidence.

Under pretended blockades, without the presence of an adequate force and sometimes without the practicability of applying one, our commerce has been plundered in every sea, the great staples of our country have been cut off from their legitimate markets, and a destructive blow aimed at our agricultural and maritime interests. In aggravation of these predatory measures they have been considered as in force from the dates of their notification, a retrospective effect being thus added, as has been done in other important cases, to the unlawfulness of the course pursued. And to render the outrage the more signal these mock blockades have been reiterated and enforced in the face of official communications from the British Government declaring as the true definition of a legal blockade "that particular ports must be actually invested and previous warning given to vessels bound to them not to enter."

Not content with these occasional expedients for laying waste our neutral trade, the cabinet of Britain resorted at length to the sweeping system of blockades, under the name of orders in council, which has been molded and managed as might best suit its political views, its commercial jealousies, or the avidity of British cruisers.

To our remonstrances against the complicated and transcendent injustice of this innovation the first reply was that the orders were reluctantly adopted by Great Britain as a necessary retaliation on decrees of her enemy proclaiming a general blockade of the British Isles at a time when the naval force of that enemy dared not issue from his own ports. She was reminded without effect that her own prior blockades, unsupported by an adequate naval force actually applied and continued, were a bar to this plea; that executed edicts against millions of our property could not be retaliation on edicts confessedly impossible to be executed; that retaliation, to be just, should fall on the party setting the guilty example, not on an innocent party which was not even chargeable with an acquiescence in it.

When deprived of this flimsy veil for a prohibition of our trade with her enemy by the repeal of his prohibition of our trade with Great Britain, her cabinet, instead of a corresponding repeal or a practical discontinuance of its orders, formally avowed a determination to persist in them against the United States until the markets of her enemy should be laid open to British products, thus asserting an obligation on a neutral power to require one belligerent to encourage by its internal regulations the trade of another belligerent, contradicting her own practice toward all nations, in peace as well as in war, and betraying the insincerity of those professions which inculcated a belief that, having resorted to her orders with regret, she was anxious to find an occasion for putting an end to them.

Abandoning still more all respect for the neutral rights of the United States and for its own consistency, the British Government now demands as prerequisites to a repeal of its orders as they relate to the United States that a formality should be observed in the repeal of the French decrees nowise necessary to their termination nor exemplified by British usage, and that the French repeal, besides including that portion of the decrees which operates within a territorial jurisdiction, as well as that which operates on the high seas, against the commerce of the United States should not be a single and special repeal in relation to the United States, but should be extended to whatever other neutral nations unconnected with them may be affected by those decrees. And as an additional insult, they are called on for a formal disavowal of conditions and pretensions advanced by the French Government for which the United States are so far from having made themselves responsible that, in official explanations which have been published to the world, and in a correspondence of the American minister at London with the British minister for foreign affairs such a responsibility was explicitly and emphatically disclaimed.

It has become, indeed, sufficiently certain that the commerce of the United States is to be sacrificed, not as interfering with the belligerent rights of Great Britain; not as supplying the wants of her enemies, which she herself supplies; but as interfering with the monopoly which she covets for her own commerce and navigation. She carries on a war against the lawful commerce of a friend that she may the better carry on a commerce with an enemy—a commerce polluted by the forgeries and perjuries which are for the most part the only passports by which it can succeed.

Anxious to make every experiment short of the last resort of injured nations, the United States have withheld from Great Britain, under successive modifications, the benefits of a free intercourse with their market, the loss of which could not but outweigh the profits accruing from her restrictions of our commerce with other nations. And to entitle these experiments to the more favorable consideration they were so framed as to enable her to place her adversary under the exclusive operation of them. To these appeals her Government has been equally inflexible, as if willing to make sacrifices of every sort rather than yield to the claims of justice or renounce the errors of a false pride. Nay, so far were the attempts carried to overcome the attachment of the British cabinet to its unjust edicts that it received every encouragement within the competency of the executive branch of our Government to expect that a repeal of them would be followed by a war between the United States and France, unless the French edicts should also be repealed. Even this communication, although silencing forever the plea of a disposition in the United States to acquiesce in those edicts originally the sole plea for them, received no attention.

If no other proof existed of a predetermination of the British Government against a repeal of its orders, it might be found in the correspondence of the minister plenipotentiary of the United States at London and the British secretary for foreign affairs in 1810, on the question whether the blockade of May, 1806, was considered as in force or as not in force. It had been ascertained that the French Government, which urged this blockade as the ground of its Berlin decree, was willing in the event of its removal to repeal that decree, which, being followed by alternate repeals of the other offensive edicts, might abolish the whole system on both sides. This inviting opportunity for accomplishing an object so important to the United States, and professed so often to be the desire of both the belligerents, was made known to the British Government. As that Government admits that an actual application of an adequate force is necessary to the existence of a legal blockade, and it was notorious that if such a force had ever been applied its long discontinuance had annulled the blockade in question, there could be no sufficient objection on the part of Great Britain to a formal revocation of it, and no imaginable objection to a declaration of the fact that the blockade did not exist. The declaration would have been consistent with her avowed principles of blockade, and would have enabled the United States to demand from France the pledged repeal of her decrees, either with success, in which case the way would have been opened for a general repeal of the belligerent edicts, or without success, in which case the United States would have been justified in turning their measures exclusively against France. The British Government would, however, neither rescind the blockade nor declare its nonexistence, nor permit its nonexistence to be inferred and affirmed by the American plenipotentiary. On the contrary, by representing the blockade to be comprehended in the orders in council, the United States were compelled so to regard it in their subsequent proceedings.

There was a period when a favorable change in the policy of the British cabinet was justly considered as established. The minister plenipotentiary of His Britannic Majesty here proposed an adjustment of the differences more immediately endangering the harmony of the two countries. The proposition was accepted with the promptitude and cordiality corresponding with the invariable professions of this Government. A foundation appeared to be laid for a sincere and lasting reconciliation. The prospect, however, quickly vanished. The whole proceeding was disavowed by the British Government without any explanations which could at that time repress the belief that the disavowal proceeded from a spirit of hostility to the commercial rights and prosperity of the United States; and it has since come into proof that at the very moment when the public minister was holding the language of friendship and inspiring confidence in the sincerity of the negotiation with which he was charged a secret agent of his Government was employed in intrigues having for their object a subversion of our Government and a dismemberment of our happy union.

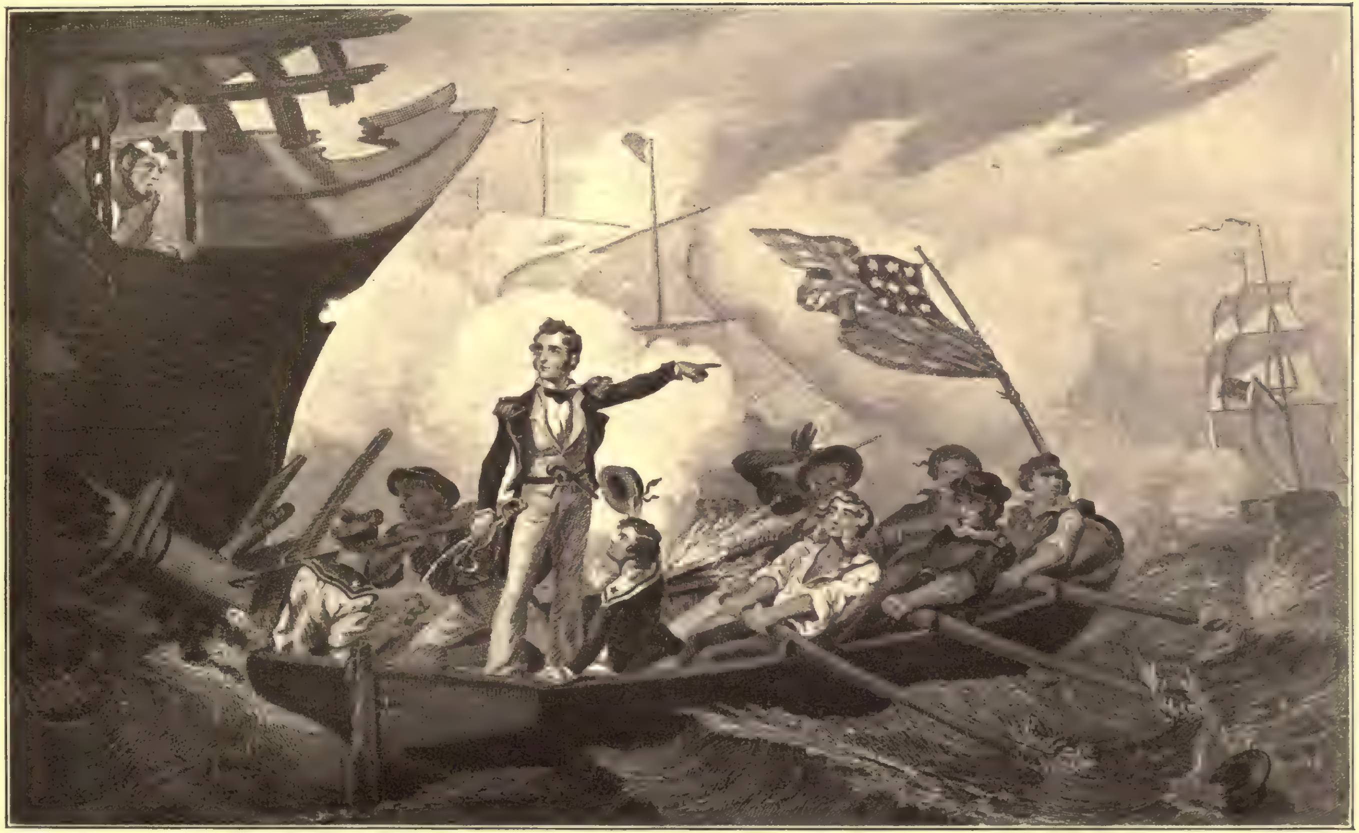
In reviewing the conduct of Great Britain toward the United States our attention is necessarily drawn to the warfare just renewed by the savages on one of our extensive frontiers—a warfare which is known to spare neither age nor sex and to be distinguished by features peculiarly shocking to humanity. It is difficult to account for the activity and combinations which have for some time been developing themselves among tribes in constant intercourse with British traders and garrisons without connecting their hostility with that influence and without recollecting the authenticated examples of such interpositions heretofore furnished by the officers and agents of that Government.

Such is the spectacle of injuries and indignities which have been heaped on our country, and such the crisis which its unexampled forbearance and conciliatory efforts have not been able to avert. It might at least have been expected that an enlightened nation, if less urged by moral obligations or invited by friendly dispositions on the part of the United States, would have found in its true interest alone a sufficient motive to respect their rights and their tranquillity on the high seas; that an enlarged policy would have favored that free and general circulation of commerce in which the British nation is at all times interested, and which in times of war is the best alleviation of its calamities to herself as well as to other belligerents; and more especially that the British cabinet would not, for the sake of a precarious and surreptitious intercourse with hostile markets, have persevered in a course of measures which necessarily put at hazard the invaluable market of a great and growing country, disposed to cultivate the mutual advantages of an active commerce.

Other counsels have prevailed. Our moderation and conciliation have had no other effect than to encourage perseverance and to enlarge pretensions. We behold our seafaring citizens still the daily victims of lawless violence, committed on the great common and highway of nations, even within sight of the country which owes them protection. We behold our vessels, freighted with the products of our soil and industry, or returning with the honest proceeds of them, wrested from their lawful destinations, confiscated by prize courts no longer the organs of public law but the instruments of arbitrary edicts, and their unfortunate crews dispersed and lost, or forced or inveigled in British ports into British fleets, whilst arguments are employed in support of these aggressions which have no foundation but in a principle equally supporting a claim to regulate our external commerce in all cases whatsoever.

We behold, in fine, on the side of Great Britain a state of war against the United States, and on the side of the United States a state of peace toward Great Britain.

Whether the United States shall continue passive under these progressive usurpations and these accumulating wrongs, or, opposing force to force in defense of their national rights, shall commit a just cause into the hands of the Almighty Disposer of Events, avoiding all connections which might entangle it in the contest or views of other powers, and preserving a constant readiness to concur in an honorable reestablishment



PERRY AT LAKE ERIE

THE BATTLE OF LAKE ERIE

September 10, 1813

Here for the first time fleets flying the British and American flags met in regular line of battle.

Commodore Oliver Hazard Perry summed up the occurrence in his report as follows: "We have met the enemy and they are ours."

Perry's flagship, the *Lawrence,* led his fleet of eight vessels, manned by 400 men, against the six British vessels under Barclay, which carried more than 500 men, flying as the signal for action a flag bearing the dying words of Captain Lawrence, "Don't give up the ship!" It was a stand-up fight to the finish, with the Americans at a disadvantage, and it ended in the surrender of the British.

The picture shows Perry leaving the battered and useless *Lawrence* for the less-damaged *Niagara.*

See the article "Lake Erie, Battle of," in the Encyclopedic Index.

of peace and friendship, is a solemn question which the Constitution wisely confides to the legislative department of the Government. In recommending it to their early deliberations I am happy in the assurance that the decision will be worthy the enlightened and patriotic councils of a virtuous, a free, and a powerful nation.

Having presented this view of the relations of the United States with Great Britain and of the solemn alternative growing out of them, I proceed to remark that the communications last made to Congress on the subject of our relations with France will have shewn that since the revocation of her decrees, as they violated the neutral rights of the United States, her Government has authorized illegal captures by its privateers and public ships, and that other outrages have been practiced on our vessels and our citizens. It will have been seen also that no indemnity had been provided or satisfactorily pledged for the extensive spoliations committed under the violent and retrospective orders of the French Government against the property of our citizens seized within the jurisdiction of France. I abstain at this time from recommending to the consideration of Congress definitive measures with respect to that nation, in the expectation that the result of unclosed discussions between our minister plenipotentiary at Paris and the French Government will speedily enable Congress to decide with greater advantage on the course due to the rights, the interests, and the honor of our country.

JAMES MADISON.

JUNE 30, 1812.

To the Senate and House of Representatives of the United States:

With a view the better to adapt to the public service the volunteer force contemplated by the act passed on the 6th day of February, I recommend to the consideration of Congress the expediency of making the requisite provision for the officers thereof being commissioned by the authority of the United States.

Considering the distribution of the military forces of the United States required by the circumstances of our country, I recommend also to the consideration of Congress the expediency of providing for the appointment of an additional number of general officers, and of deputies in the Adjutant's, Quartermaster's, Inspector's, and Paymaster's departments of the Army, and for the employment in cases of emergency of additional engineers.

JAMES MADISON.

JULY 1, 1812.

To the House of Representatives of the United States:

In compliance with the resolution of the House of Representatives of the 26th of June, I transmit the information contained in the documents herewith inclosed.

JAMES MADISON.

From the Secretary of State to General George Matthews and Colonel John McKee.

DEPARTMENT OF STATE, *January 26, 1811.*

The President of the United States having appointed you jointly and severally commissioners for carrying into effect certain provisions of an act of Congress (a copy of which is inclosed) relative to the portion of the Floridas situated to the east of the river Perdido, you will repair to that quarter with all possible expedition, concealing from general observation the trust committed to you with that discretion which the delicacy and importance of the undertaking require.

Should you find Governor Folk or the local authority existing there inclined to surrender in an amicable manner the possession of the remaining portion or portions of West Florida now held by him in the name of the Spanish Monarchy, you are to accept in behalf of the United States the abdication of his or of the other existing authority and the jurisdiction of the country over which it extends. And should a stipulation be insisted on for the redelivery of the country at a future period, you may engage for such redelivery to the lawful sovereign.

The debts clearly due from the Spanish Government to the people of the Territory surrendered may, if insisted on, be assumed within reasonable limits and under specified descriptions to be settled hereafter as a claim against Spain in an adjustment of our affairs with her. You may also guarantee, in the name of the United States, the confirmation of all such titles to land as are clearly sanctioned by Spanish laws, and Spanish civil functionaries, where no special reasons may require changes, are to be permitted to remain in office with the assurance of a continuation of the prevailing laws, with such alterations only as may be necessarily required in the new situation of the country.

If it should be required and be found necessary, you may agree to advance, as above, a reasonable sum for the transportation of the Spanish troops.

These directions are adapted to one of the contingencies specified in the act of Congress, namely, the amicable surrender of the possession of the Territory by the local ruling authority. But should the arrangement contemplated by the statute not be made, and should there be room to entertain a suspicion of an existing design in any foreign power to occupy the country in question, you are to keep yourselves on the alert, and on the first undoubted manifestation of the approach of a force for that purpose you will exercise with promptness and vigor the powers with which you are invested by the President to preoccupy by force the Territory, to the entire exclusion of any armament that may be advancing to take the possession of it. In this event you will exercise a sound discretion in applying the powers given with respect to debts, titles to lands, civil officers, and the continuation of the Spanish laws, taking care to commit the Government on no point further than may be necessary; and should any Spanish military force remain within the country after the occupancy by the troops of the United States, you may in such case aid in their removal from the same.

The universal toleration which the laws of the United States assure to every religious persuasion will not escape you as an argument for quieting the minds of uninformed individuals who may entertain fears on that head.

The conduct you are to pursue in regard to East Florida must be regulated by the dictates of your own judgments, on a close view and accurate knowledge of the precise state of things there, and of the real disposition of the Spanish Government always recurring to the present instruction as the paramount rule of your proceedings. Should you discover an inclination in the governor of East Florida, or in the existing local authority, amicably to surrender that province into the possession of the United States, you are to accept it on the same terms that are prescribed by these instructions in relation to West Florida. And in case of the actual appearance of any attempt to take possession by a foreign power, you will pursue the same effective measures for the occupation of the Territory and for the exclusion of the foreign force as you are directed to pursue with respect to the country east of the Perdido, forming at this time the extent of Governor Folk's jurisdiction.

If you should, under these instructions, obtain possession of Mobile, you will lose no time in informing Governor Claiborne thereof, with a request that he will without delay take the necessary steps for the occupation of the same.

All ordnance and military stores that may be found in the Territory must be held as the property of the Spanish Government, to be accounted for hereafter to the proper authority, and you will not fail to transmit an inventory thereof to this Department.

If in the execution of any part of these instructions you should need the aid of a military force, the same will be afforded you upon your application to the commanding officer of the troops of the United States on that station, or to the commanding officer of the nearest post, in virtue of orders which have been issued from the War Department. And in case you should, moreover, need naval assistance, you will receive the same upon your application to the naval commander in pursuance of orders from the Navy Department.

From the Treasury Department will be issued the necessary instructions in relation to imposts and duties, and to the slave ships whose arrival is apprehended.

The President, relying upon your discretion, authorizes you to draw upon the collectors of Orleans and Savannah for such sums as may be necessary to defray unavoidable expenses that may be incurred in the execution of these instructions, not exceeding in your drafts on New Orleans $8,000 and in your drafts on Savannah $2,000, without further authority, of which expenses you will hereafter exhibit a detailed account duly supported by satisfactory vouchers.

POSTSCRIPT.—If Governor Folk should unexpectedly require and pertinaciously insist that the stipulation for the redelivery of the Territory should also include that portion of the country which is situated west of the river Perdido, you are, in yielding to such demand, only to use general words that may by implication comprehend that portion of country; but at the same time you are expressly to provide that such stipulation shall not in any way impair or affect the right or title of the United States to the same.

The Secretary of State to General Matthews.

DEPARTMENT OF STATE, *April 4, 1812.*

General MATTHEWS, etc.

SIR: I have had the honor to receive your letter of the 14th of March, and have now to communicate to you the sentiments of the President on the very interesting subject to which it relates.

I am sorry to have to state that the measures which you appear to have adopted for obtaining possession of Amelia Island and other parts of East Florida are not authorized by the law of the United States or the instructions founded on it under which you have acted.

You were authorized by the law, a copy of which was communicated to you, and by your instructions, which are strictly conformable to it, to take possession of East Florida only in case one of the following contingencies should happen: Either that the governor or other existing local authority should be disposed to place it amicably in the hands of the United States, or that an attempt should be made to take possession of it by a foreign power. Should the first contingency happen it would follow that the arrangement, being amicable, would require no force on the part of the United States to carry it into effect. It was only in case of an attempt to take it by a foreign power that force could be necessary, in which event only were you authorized to avail yourself of it.

In neither of these contingencies was it the policy of the law or purpose of the Executive to wrest the Province forcibly from Spain, but only to occupy it with a view to prevent its falling into the hands of any foreign power, and to hold that pledge under the existing peculiarity of the circumstances of the Spanish Monarchy for a just result in an amicable negotiation with Spain.

Had the United States been disposed to proceed otherwise, that intention would have been manifested by a change of the law and suitable measures to carry it into effect; and as it was in their power to take possession whenever they might think that circumstances authorized and required it, it would be the more to be regretted if possession should be effected by any means irregular in themselves and subjecting the Government of the United States to unmerited censure.

The views of the Executive respecting East Florida are further illustrated by your instructions as to West Florida. Although the United States have thought that they had a good title to the latter Province, they did not take possession until after the Spanish authority had been subverted by a revolutionary proceeding, and the contingency of the country being thrown into foreign hands had forced itself into view. Nor did they then, nor have they since, dispossessed the Spanish troops of the post which they occupied. If they did not think proper to take possession by force of a province to which they thought they were justly entitled, it could not be presumed that they should intend to act differently in respect to one to which they had not such a claim.

I may add that although due sensibility has been always felt for the injuries which were received from the Spanish Government in the last war, the present situation of Spain has been a motive for a moderate and pacific policy toward her.

In communicating to you these sentiments of the Executive on the measures you have lately adopted for taking possession of East Florida, I add with pleasure that the utmost confidence is reposed in your integrity and zeal to promote the welfare of your country. To that zeal the error into which you have fallen is imputed. But in consideration of the part which you have taken, which differs so essentially from that contemplated and authorized by the Government, and contradicts so entirely the principles on which it has uniformly and sincerely acted, you will be sensible of the necessity of discontinuing the service in which you have been employed.

You will therefore consider your powers as revoked on the receipt of this letter. The new duties to be performed will be transferred to the governor of Georgia, to whom instructions will be given on all the circumstances to which it may be proper at the present juncture to call his attention.

I have the honor to be, very respectfully, sir, your obedient servant,

JAMES MONROE.

The Secretary of State to His Excellency D. B. Mitchell, the governor of Georgia.

DEPARTMENT OF STATE, *April 10, 1812.*

SIR: The President is desirous of availing the public of your services in a concern of much delicacy and of high importance to the United States. Circumstances with which you are in some degree acquainted, but which will be fully explained by the inclosed papers, have made it necessary to revoke the powers heretofore committed to General Matthews and to commit them to you. The President is persuaded that you will not hesitate to undertake a trust so important to the nation, and peculiarly to the State of Georgia. He is the more confident in this belief from the consideration that these new duties may be discharged without interfering, as he presumes, with those of the station which you now hold.

By the act of the 15th of January, 1811, you will observe that it was not contemplated to take possession of East Florida or any part thereof, unless it should be surrendered to the United States amicably by the governor or other local authority of the Province, or against an attempt to take possession of it by a foreign power, and you will also see that General Matthews's instructions, of which a copy is likewise inclosed, correspond fully with the law.

By the documents in possession of the Government it appears that neither of these contingencies have happened; that instead of an amicable surrender by the governor or other local authority the troops of the United States have been used to dispossess the Spanish authority by force. I forbear to dwell on the details of this transaction because it is painful to recite them. By the letter to General Matthews which is inclosed, open for your perusal, you will fully comprehend the views of the Government respecting the late transaction, and by the law, the former instructions to the General, and the late letter now forwarded you will be made acquainted with the course of conduct which it is expected of you to pursue in future in discharging the duties heretofore enjoined on him.

It is the desire of the President that you should turn your attention and direct your efforts in the first instance to the restoration of that state of things in the Province which existed before the late transactions. The Executive considers it proper to restore back to the Spanish authorities Amelia Island and such other parts, if any, of East Florida as may have thus been taken from them. With this view it will be necessary for you to communicate *directly* with the governor or principal officer of Spain in that Province, and to act in harmony with him in the attainment of it. It is presumed that the arrangement will be easily and amicably made between you. I inclose you an order from the Secretary of War to the commander of the troops of the United States to evacuate the country when requested so to do by you, and to pay the same respect in future to your order in fulfilling the duties enjoined by the law that he had been instructed to do to that of General Matthews.

In restoring to the Spanish authorities Amelia Island and such other parts of East Florida as may have been taken possession of in the name of the United States there is another object to which your particular attention will be due. In the measures lately adopted by General Matthews to take possession of that Territory it is probable that much reliance has been placed by the people who acted in it on the countenance and support of the United States. It will be improper to expose these people to the resentment of the Spanish authorities. It is not to be presumed that those authorities in regaining possession of the Territory in this amicable mode from the United States will be disposed to indulge any such feeling toward them. You will, however, come to a full understanding with the Spanish governor on this subject, and not fail to obtain from him the most explicit and satisfactory assurance respecting it. Of this assurance you will duly apprise the parties interested, and of the confidence which you repose in it. It is hoped that on this delicate and very interesting point the Spanish governor will avail himself of the opportunity it presents to evince the friendly disposition of his Government toward the United States.

There is one other remaining circumstance only to which I wish to call your attention, and that relates to General Matthews himself. His gallant and meritorious services in our Revolution and patriotic conduct since have always been held in high estimation by the Government. His errors in this instance are imputed altogether to his zeal to promote the welfare of his country; but they are of a nature to impose on the Government the necessity of the measures now taken, in giving effect to which you will doubtless feel a disposition to consult, as far as may be, his personal sensibility.

I have the honor to be, etc.,

JAMES MONROE.

P. S.—Should you find it impracticable to execute the duties designated above in person, the President requests that you will be so good as to employ some very respectable character to represent you in it, to whom you are authorized to allow a similar compensation. It is hoped, however, that you may be able to attend to it in person, for reasons which I need not enter into. The expenses to which you may be exposed will be promptly paid to your draft on this Department.

The Secretary of State to D. B. Mitchell, esq., governor of Georgia.

DEPARTMENT OF STATE, *May 27, 1812.*

SIR: I have had the honor to receive your letter of the 2d instant from St. Marys, where you had arrived in discharge of the trust reposed in you by the President, in relation to East Florida.

My letter by Mr. Isaacs has, I presume, substantially answered the most important of the queries submitted in your letter, but I will give to each a more distinct answer.

By the law of which a copy was forwarded to you it is made the duty of the President to prevent the occupation of East Florida by any foreign power. It follows that you are authorized to consider the entrance, or attempt to enter, especially under existing circumstances, of British troops of any description as the case contemplated by the law, and to use the proper means to defeat it.

An instruction will be immediately forwarded to the commander of the naval force of the United States in the neighborhood of East Florida to give you any assistance, in case of emergency, which you may think necessary and require.

It is not expected, if you find it proper to withdraw the troops, that you should interfere to compel the patriots to surrender the country or any part of it to the Spanish authorities. The United States are responsible for their own conduct only; not for that of the inhabitants of East Florida. Indeed, in consequence of the compromitment of the United States to the inhabitants, you have been already instructed not to withdraw the troops, unless you find that it may be done consistently with their safety, and to report to the Government the result of your conferences with the Spanish authorities, with your opinion of their views, holding in the meantime the ground occupied.

In the present state of our affairs with Great Britain the course above pointed out is the more justifiable and proper.

I have the honor, etc.,

JAMES MONROE.

JULY 6, 1812.

To the Senate of the United States:

I transmit to the Senate copies and extracts of documents in the archives of the Department of State falling within the purview of their resolution of the 4th instant, on the subject of British impressments from American vessels. The information, though voluminous, might have been enlarged with more time for research and preparation. In some instances it might at the same time have been abridged but for the difficulty of separating the matter extraneous to the immediate object of the resolution.

JAMES MADISON.

VETO MESSAGE.

APRIL 3, 1812.

To the House of Representatives of the United States:

Having examined and considered the bill entitled "An act providing for the trial of causes pending in the respective district courts of the United States, in case of the absence or disability of the judges thereof," which bill was presented to me on the 25th of March past, I now return the same to the House of Representatives, in which it originated, with the following objections:

Because the additional services imposed by the bill on the justices of the Supreme Court of the United States are to be performed by them rather in the quality of other judges of other courts, namely, judges of the district courts, than in the quality of justices of the Supreme Court. They are to hold the said district courts, and to do and perform all acts relating to the said courts which are by law required of the district judges. The bill therefore virtually appoints, for the time, the justices of the Supreme Court to other distinct offices to which, if compatible with their original offices, they ought to be appointed by another than the legislative authority, in pursuance of legislative provisions authorizing the appointments.

Because the appeal allowed by law for the decision of the district courts to the circuit courts, whilst it corroborates the construction which regards a judge of one court as clothed with a new office, by being constituted a judge of the other, submits for correction erroneous judgments, not to superior or other judges, but to the erring individual himself, acting as sole judge in the appellate court.

Because the additional services to be required may, by distances of place and by the casualties contemplated by the bill, become disproportionate to the strength and health of the justices who are to perform them, the additional services being, moreover, entitled to no additional compensation, nor the additional expenses incurred to reimbursement. In this view the bill appears to be contrary to equity, as well as a precedent for modifications and extensions of judicial services encroaching on the constitutional tenure of judicial offices.

Because, by referring to the President of the United States questions of disability in the district judges and of the unreasonableness of delaying the suits or causes pending in the district courts, and leaving it with him in such causes to require the justices of the Supreme Court to perform additional services, the bill introduces an unsuitable relation of members of the judiciary department to a discretionary authority of the executive department.

JAMES MADISON.

PROCLAMATIONS.

[From Niles's Weekly Register, vol. 1, p. 448.]

BY THE PRESIDENT OF THE UNITED STATES.

A PROCLAMATION.

Whereas information has been received that a number of individuals who have deserted from the Army of the United States have become sensible of their offense and are desirous of returning to their duty, a full pardon is hereby granted and proclaimed to each and all such individuals as shall within four months from the date hereof surrender themselves to the commanding officer of any military post within the United States or the Territories thereof.

In testimony whereof I have caused the seal of the United States to be affixed to these presents, and signed the same with my hand.

[SEAL.] Done at the city of Washington, the 7th day of February, A. D. 1812, and of the Independence of the United States the thirty-sixth.

JAMES MADISON.

By the President:
JAMES MONROE,
Secretary of State.

[From Annals of Congress, Twelfth Congress, part 2, 2223.]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas the Congress of the United States, by virtue of the constituted authority vested in them, have declared by their act bearing date the 18th day of the present month that war exists between the United Kingdom of Great Britain and Ireland and the dependencies thereof and the United States of America and their Territories:

Now, therefore, I, James Madison, President of the United States of America, do hereby proclaim the same to all whom it may concern; and I do specially enjoin on all persons holding offices, civil or military, under the authority of the United States that they be vigilant and zealous in discharging the duties respectively incident thereto; and I do moreover exhort all the good people of the United States, as they love their country, as they value the precious heritage derived from the virtue and valor of their fathers, as they feel the wrongs which have forced on them the last resort of injured nations, and as they consult the best means under the blessing of Divine Providence of abridging its calamities, that they exert themselves in preserving order, in promoting concord, in maintaining the authority and efficacy of the laws, and in supporting and invigorating all the measures which may be adopted by the constituted authorities for obtaining a speedy, a just, and an honorable peace.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed to these presents.

[SEAL.] Done at the city of Washington, the 19th day of June, 1812, and of the Independence of the United States the thirty-sixth.

JAMES MADISON.

By the President:

JAMES MONROE,
Secretary of State.

[From Annals of Congress, Twelfth Congress, part 2, 2224.]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas the Congress of the United States, by a joint resolution of the two Houses, have signified a request that a day may be recommended to be observed by the people of the United States with religious solemnity as a day of public humiliation and prayer; and

Whereas such a recommendation will enable the several religious denominations and societies so disposed to offer at one and the same time their common vows and adorations to Almighty God on the solemn occasion produced by the war in which He has been pleased to permit the injustice of a foreign power to involve these United States:

I do therefore recommend the third Thursday in August next as a convenient day to be set apart for the devout purposes of rendering the Sovereign of the Universe and the Benefactor of Mankind the public homage due to His holy attributes; of acknowledging the transgressions which might justly provoke the manifestations of His divine displeasure; of seeking His merciful forgiveness and His assistance in the great duties of repentance and amendment, and especially of offering fervent supplications that in the present season of calamity and war He would take the American people under His peculiar care and protection; that He would guide their public councils, animate their patriotism, and bestow His blessing on their arms; that He would inspire all nations with a love of justice and of concord and with a reverence for the unerring precept of our holy religion to do to others as they would require that others should do to them; and, finally, that, turning the hearts of our enemies from the violence and injustice which sway their councils against us, He would hasten a restoration of the blessings of peace.

Given at Washington, the 9th day of July, A. D. 1812.

[SEAL.] JAMES MADISON.

By the President:

JAMES MONROE,
Secretary of State.

[From Niles's Weekly Register, vol. 3, p. 101.]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas information has been received that a number of individuals who have deserted from the Army of the United States have become sensible of their offenses and are desirous of returning to their duty, a full pardon is hereby granted and proclaimed to each and all such individuals as shall within four months from the date hereof surrender themselves to the commanding officer of any military post within the United States or the Territories thereof.

In testimony whereof I have caused the seal of the United States to be affixed to these presents, and signed the same with my hand.

[SEAL.] Done at the city of Washington, the 8th day of October, A. D. 1812, and of the Independence of the United States the thirty-seventh.

JAMES MADISON.

By the President:
JAMES MONROE,
Secretary of State.

FOURTH ANNUAL MESSAGE.

WASHINGTON, *November 4, 1812.*

Fellow-Citizens of the Senate and of the House of Representatives:

On our present meeting it is my first duty to invite your attention to the providential favors which our country has experienced in the unusual degree of health dispensed to its inhabitants, and in the rich abundance with which the earth has rewarded the labors bestowed on it. In the successful cultivation of other branches of industry, and in the progress of general improvement favorable to the national prosperity, there is just occasion also for our mutual congratulations and thankfulness.

With these blessings are necessarily mingled the pressures and vicissitudes incident to the state of war into which the United States have been forced by the perseverance of a foreign power in its system of injustice and aggression.

Previous to its declaration it was deemed proper, as a measure of precaution and forecast, that a considerable force should be placed in the Michigan Territory with a general view to its security, and, in the event of war, to such operations in the uppermost Canada as would intercept the hostile influence of Great Britain over the savages, obtain the command of the lake on which that part of Canada borders, and maintain cooperating relations with such forces as might be most conveniently employed against other parts. Brigadier-General Hull was charged with this provisional service, having under his command a body of troops composed of regulars and of volunteers from the State of Ohio. Having reached his destination after his knowledge of the war, and possessing discretionary authority to act offensively, he passed into the neighboring territory of the enemy with a prospect of easy and victorious progress. The expedition, nevertheless, terminated unfortunately, not only in a retreat to the town and fort of Detroit, but in the surrender of both and of the gallant corps commanded by that officer. The causes of this painful reverse will be investigated by a military tribunal.

A distinguishing feature in the operations which preceded and followed this adverse event is the use made by the enemy of the merciless savages under their influence. Whilst the benevolent policy of the United States invariably recommended peace and promoted civilization among that wretched portion of the human race, and was making exertions to dissuade them from taking either side in the war, the enemy has not scrupled to call to his aid their ruthless ferocity, armed with the horrors of those instruments of carnage and torture which are known to spare neither age nor sex. In this outrage against the laws of honorable war and against the feelings sacred to humanity the British commanders can not resort to a plea of retaliation, for it is committed in the face of our example. They can not mitigate it by calling it a self-defense against men in arms, for it embraces the most shocking butcheries of defenseless families. Nor can it be pretended that they are not answerable for the atrocities perpetrated, since the savages are employed with a knowledge, and even with menaces, that their fury could not be controlled. Such is the spectacle which the deputed authorities of a nation boasting its religion and morality have not been restrained from presenting to an enlightened age.

The misfortune at Detroit was not, however, without a consoling effect. It was followed by signal proofs that the national spirit rises according to the pressure on it. The loss of an important post and of the brave men surrendered with it inspired everywhere new ardor and determination. In the States and districts least remote it was no sooner known than every citizen was ready to fly with his arms at once to protect his brethren against the bloodthirsty savages let loose by the enemy on an extensive frontier, and to convert a partial calamity into a source of invigorated efforts. This patriotic zeal, which it was necessary rather to limit than excite, has embodied an ample force from the States of Kentucky and Ohio and from parts of Pennsylvania and Virginia. It is placed, with the addition of a few regulars, under the command of Brigadier-General Harrison, who possesses the entire confidence of his fellow-soldiers, among whom are citizens, some of them volunteers in the ranks, not less distinguished by their political stations than by their personal merits.

The greater portion of this force is proceeding on its destination toward the Michigan Territory, having succeeded in relieving an important frontier post, and in several incidental operations against hostile tribes of savages, rendered indispensable by the subserviency into which they had been seduced by the enemy—a seduction the more cruel as it could not fail to impose a necessity of precautionary severities against those who yielded to it.

At a recent date an attack was made on a post of the enemy near Niagara by a detachment of the regular and other forces under the command of Major-General Van Rensselaer, of the militia of the State of New York. The attack, it appears, was ordered in compliance with the ardor of the troops, who executed it with distinguished gallantry, and were for a time victorious; but not receiving the expected support, they were compelled to yield to reenforcements of British regulars and savages. Our loss has been considerable, and is deeply to be lamented. That of the enemy, less ascertained, will be the more felt, as it includes among the killed the commanding general, who was also the governor of the Province, and was sustained by veteran troops from unexperienced soldiers, who must daily improve in the duties of the field.

Our expectation of gaining the command of the Lakes by the invasion of Canada from Detroit having been disappointed, measures were instantly taken to provide on them a naval force superior to that of the enemy. From the talents and activity of the officer charged with this object everything that can be done may be expected. Should the present season not admit of complete success, the progress made will insure for the next a naval ascendency where it is essential to our permanent peace with and control over the savages.

Among the incidents to the measures of the war I am constrained to advert to the refusal of the governors of Massachusetts and Connecticut to furnish the required detachments of militia toward the defense of the maritime frontier. The refusal was founded on a novel and unfortunate exposition of the provisions of the Constitution relating to the militia. The correspondences which will be laid before you contain the requisite information on the subject. It is obvious that if the authority of the United States to call into service and command the militia for the public defense can be thus frustrated, even in a state of declared war and of course under apprehensions of invasion preceding war, they are not one nation for the purpose most of all requiring it, and that the public safety may have no other resource than in those large and permanent military establishments which are forbidden by the principles of our free government, and against the necessity of which the militia were meant to be a constitutional bulwark.

On the coasts and on the ocean the war has been as successful as circumstances inseparable from its early stages could promise. Our public ships and private cruisers, by their activity, and, where there was occasion, by their intrepidity, have made the enemy sensible of the difference between a reciprocity of captures and the long confinement of them to their side. Our trade, with little exception, has safely reached our ports, having been much favored in it by the course pursued by a squadron of our frigates under the command of Commodore Rodgers, and in the instance in which skill and bravery were more particularly tried with those of the enemy the American flag had an auspicious triumph. The frigate *Constitution*, commanded by Captain Hull, after a close and short engagement completely disabled and captured a British frigate, gaining for that officer and all on board a praise which can not be too liberally bestowed, not merely for the victory actually achieved, but for that prompt and cool exertion of commanding talents which, giving to courage its highest character, and to the force applied its full effect, proved that more could have been done in a contest requiring more.

Anxious to abridge the evils from which a state of war can not be exempt, I lost no time after it was declared in conveying to the British Government the terms on which its progress might be arrested, without awaiting the delays of a formal and final pacification, and our chargé d'affaires at London was at the same time authorized to agree to an armistice founded upon them. These terms required that the orders in council should be repealed as they affected the United States, without a revival of blockades violating acknowledged rules, and that there should be an immediate discharge of American seamen from British ships, and a stop to impressment from American ships, with an understanding that an exclusion of the seamen of each nation from the ships of the other should be stipulated, and that the armistice should be improved into a definitive and comprehensive adjustment of depending controversies. Although a repeal of the orders susceptible of explanations meeting the views of this Government had taken place before this pacific advance was communicated to that of Great Britain, the advance was declined from an avowed repugnance to a suspension of the practice of impressments during the armistice, and without any intimation that the arrangement proposed with respect to seamen would be accepted. Whether the subsequent communications from this Government, affording an occasion for reconsidering the subject on the part of Great Britain, will be viewed in a more favorable light or received in a more accommodating spirit remains to be known. It would be unwise to relax our measures in any respect on a presumption of such a result.

The documents from the Department of State which relate to this subject will give a view also of the propositions for an armistice which have been received here, one of them from the authorities at Halifax and in Canada, the other from the British Government itself through Admiral Warren, and of the grounds on which neither of them could be accepted.

Our affairs with France retain the posture which they held at my last communications to you. Notwithstanding the authorized expectations of an early as well as favorable issue to the discussions on foot, these have been procrastinated to the latest date. The only intervening occurrence meriting attention is the promulgation of a French decree purporting to be a definitive repeal of the Berlin and Milan decrees. This proceeding, although made the ground of the repeal of the British orders in council, is rendered by the time and manner of it liable to many objections.

The final communications from our special minister to Denmark afford further proofs of the good effects of his mission, and of the amicable disposition of the Danish Government. From Russia we have the satisfaction to receive assurances of continued friendship, and that it will not be affected by the rupture between the United States and Great Britain. Sweden also professes sentiments favorable to the subsisting harmony.

With the Barbary Powers, excepting that of Algiers, our affairs remain on the ordinary footing. The consul-general residing with that Regency has suddenly and without cause been banished, together with all the American citizens found there. Whether this was the transitory effect of capricious despotism or the first act of predetermined hostility is not ascertained. Precautions were taken by the consul on the latter supposition.

The Indian tribes not under foreign instigations remain at peace, and receive the civilizing attentions which have proved so beneficial to them.

With a view to that vigorous prosecution of the war to which our national faculties are adequate, the attention of Congress will be particularly drawn to the insufficiency of existing provisions for filling up the military establishment. Such is the happy condition of our country, arising from the facility of subsistence and the high wages for every species of occupation, that notwithstanding the augmented inducements provided at the last session, a partial success only has attended the recruiting service. The deficiency has been necessarily supplied during the campaign by other than regular troops, with all the inconveniences and expense incident to them. The remedy lies in establishing more favorably for the private soldier the proportion between his recompense and the term of his enlistment, and it is a subject which can not too soon or too seriously be taken into consideration.

The same insufficiency has been experienced in the provisions for volunteers made by an act of the last session. The recompense for the service required in this case is still less attractive than in the other, and although patriotism alone has sent into the field some valuable corps of that description, those alone who can afford the sacrifice can be reasonably expected to yield to that impulse.

It will merit consideration also whether as auxiliary to the security of our frontiers corps may not be advantageously organized with a restriction of their services to particular districts convenient to them, and whether the local and occasional services of mariners and others in the seaport towns under a similar organization would not be a provident addition to the means of their defense.

I recommend a provision for an increase of the general officers of the Army, the deficiency of which has been illustrated by the number and distance of separate commands which the course of the war and the advantage of the service have required.

And I can not press too strongly on the earliest attention of the Legislature the importance of the reorganization of the staff establishment with a view to render more distinct and definite the relations and responsibilities of its several departments. That there is room for improvements which will materially promote both economy and success in what appertains to the Army and the war is equally inculcated by the examples of other countries and by the experience of our own.

A revision of the militia laws for the purpose of rendering them more systematic and better adapting them to emergencies of the war is at this time particularly desirable.

Of the additional ships authorized to be fitted for service, two will be shortly ready to sail, a third is under repair, and delay will be avoided in the repair of the residue. Of the appropriations for the purchase of materials for shipbuilding, the greater part has been applied to that object and the purchase will be continued with the balance.

The enterprising spirit which has characterized our naval force and its success, both in restraining insults and depredations on our coasts and in reprisals on the enemy, will not fail to recommend an enlargement of it.

There being reason to believe that the act prohibiting the acceptance of British licenses is not a sufficient guard against the use of them, for purposes favorable to the interests and views of the enemy, further provisions on that subject are highly important. Nor is it less so that penal enactments should be provided for cases of corrupt and perfidious intercourse with the enemy, not amounting to treason nor yet embraced by any statutory provisions.

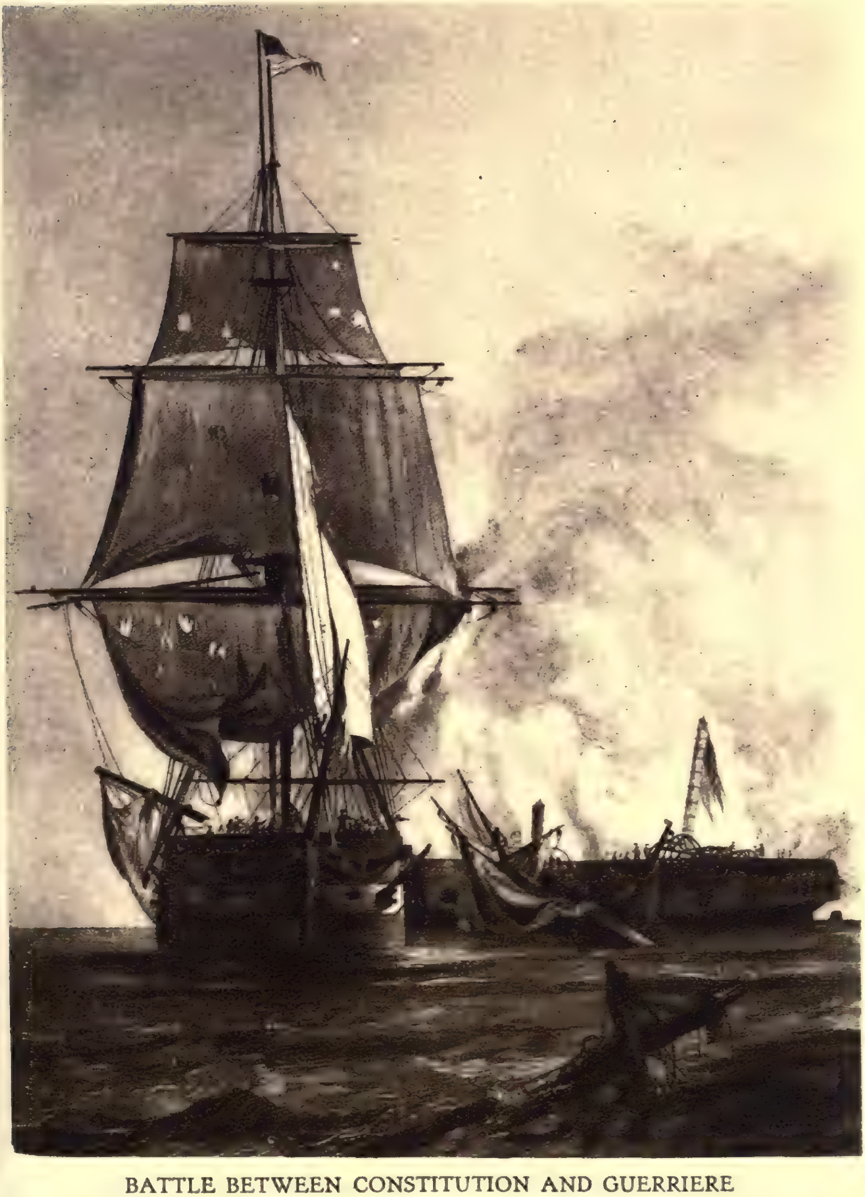
A considerable number of American vessels which were in England when the revocation of the orders in council took place were laden with British manufactures under an erroneous impression that the nonimportation act would immediately cease to operate, and have arrived in the United States. It did not appear proper to exercise on unforeseen cases of such magnitude the ordinary powers vested in the Treasury Department to mitigate forfeitures without previously affording to Congress an opportunity of making on the subject such provision as they may think proper. In their decision they will doubtless equally consult what is due to equitable considerations and to the public interest.

The receipts into the Treasury during the year ending on the 30th of

September last have exceeded $16,500,000, which have been sufficient to defray all the demands on the Treasury to that day, including a necessary reimbursement of near three millions of the principal of the public debt. In these receipts is included a sum of near $5,850,000, received on account of the loans authorized by the acts of the last session; the whole sum actually obtained on loan amounts to $11,000,000, the residue of which, being receivable subsequent to the 30th of September last, will, together with the current revenue, enable us to defray all the expenses of this year.

The duties on the late unexpected importations of British manufactures will render the revenue of the ensuing year more productive than could have been anticipated.

The situation of our country, fellow-citizens, is not without its difficulties, though it abounds in animating considerations, of which the view here presented of our pecuniary resources is an example. With more than one nation we have serious and unsettled controversies, and with one, powerful in the means and habits of war, we are at war. The spirit and strength of the nation are nevertheless equal to the support of all its rights, and to carry it through all its trials. They can be met in that confidence. Above all, we have the inestimable consolation of knowing that the war in which we are actually engaged is a war neither of ambition nor of vainglory; that it is waged not in violation of the rights of others, but in the maintenance of our own; that it was preceded by a patience without example under wrongs accumulating without end, and that it was finally not declared until every hope of averting it was extinguished by the transfer of the British scepter into new hands clinging to former councils, and until declarations were reiterated to the last hour, through the British envoy here, that the hostile edicts against our commercial rights and our maritime independence would not be revoked; nay, that they could not be revoked without violating the obligations of Great Britain to other powers, as well as to her own interests. To have shrunk under such circumstances from manly resistance would have been a degradation blasting our best and proudest hopes; it would have struck us from the high rank where the virtuous struggles of our fathers had placed us, and have betrayed the magnificent legacy which we hold in trust for future generations. It would have acknowledged that on the element which forms three-fourths of the globe we inhabit, and where all independent nations have equal and common rights, the American people were not an independent people, but colonists and vassals. It was at this moment and with such an alternative that war was chosen. The nation felt the necessity of it, and called for it. The appeal was accordingly made, in a just cause, to the Just and All-powerful Being who holds in His hand the chain of events and the destiny of nations. It remains only that, faithful to ourselves, entangled in no connections with the views of other powers, and ever ready to accept peace from the



BATTLE BETWEEN CONSTITUTION AND GUERRIERE

BATTLE BETWEEN THE CONSTITUTION AND THE GUERRIERE.

The "Constitution" was built in 1797, and was a man-of-war of 1,576 tons and carrying 44 guns. On August 19, 1812, under Captain Hull, she met the English battleship, "Guerrière," and immediately opened fire. The battle resolved itself into a close-range struggle, and both sides were prevented from boarding only by the heaviness of the seas. In fifteen minutes, the grape of the "Constitution" had wrought horrible havoc in the "Guerrière," tearing her rigging to shreds, shooting away her masts, and setting her on fire. Within half-an-hour, uncontrollable and sinking, she struck her flag to the American, who lost only seven men in the encounter.

hand of justice, we prosecute the war with united counsels and with the ample faculties of the nation until peace be so obtained and as the only means under the Divine blessing of speedily obtaining it.

JAMES MADISON.

SPECIAL MESSAGES.

NOVEMBER 12, 1812.

To the Senate and House of Representatives of the United States:

For the further information of Congress relative to the pacific advances made on the part of this Government to that of Great Britain, and the manner in which they have been met by the latter, I transmit the sequel of the communications on that subject received from the late chargé d'affaires at London.

JAMES MADISON.

NOVEMBER 17, 1812.

To the Senate and House of Representatives of the United States:

I transmit to Congress copies of a letter from the consul-general of the United States to Algiers, stating the circumstances preceding and attending his departure from that Regency.

JAMES MADISON.

WASHINGTON, *December 11, 1812.*

To the Senate and House of Representatives of the United States:

I transmit to Congress copies of a letter to the Secretary of the Navy from Captain Decatur, of the frigate *United States*, reporting his combat and capture of the British frigate *Macedonian*. Too much praise can not be bestowed on that officer and his companions on board for the consummate skill and conspicuous valor by which this trophy has been added to the naval arms of the United States.

I transmit also a letter from Captain Jones, who commanded the sloop of war *Wasp*, reporting his capture of the British sloop of war *Frolic*, after a close action, in which other brilliant titles will be seen to the public admiration and praise.

A nation feeling what it owes to itself and to its citizens could never abandon to arbitrary violence on the ocean a class of them which give such examples of capacity and courage in defending their rights on that element, examples which ought to impress on the enemy, however brave and powerful, preference of justice and peace to hostility against a country whose prosperous career may be accelerated but can not be prevented by the assaults made on it.

JAMES MADISON.

JANUARY 22, 1813.

To the Senate and House of Representatives of the United States:

I transmit, for the information of Congress, copies of a correspondence between John Mitchell, agent for American prisoners of war at Halifax, and the British admiral commanding at that station.

I transmit, for the like purpose, copies of a letter from Commodore Rodgers to the Secretary of the Navy.

JAMES MADISON.

FEBRUARY 22, 1813.

To the Senate and House of Representatives of the United States:

I lay before Congress a letter, with accompanying documents, from Captain Bainbridge, now commanding the United States frigate the *Constitution*, reporting his capture and destruction of the British frigate the *Java*. The circumstances and the issue of this combat afford another example of the professional skill and heroic spirit which prevail in our naval service. The signal display of both by Captain Bainbridge, his officers and crew, commands the highest praise.

This being a second instance in which the condition of the captured ship, by rendering it impossible to get her into port, has barred a contemplated reward of successful valor, I recommend to the consideration of Congress the equity and propriety of a general provision allowing in such cases, both past and future, a fair proportion of the value which would accrue to the captors on the safe arrival and sale of the prize.

JAMES MADISON.

FEBRUARY 24, 1813.

To the Senate and House of Representatives of the United States:

I lay before Congress copies of a proclamation of the British lieutenant-governor of the island of Bermuda, which has appeared under circumstances leaving no doubt of its authenticity. It recites a British order in council of the 26th of October last, providing for the supply of the British West Indies and other colonial possessions by a trade under special licenses, and is accompanied by a circular instruction to the colonial governors which confines licensed importations from ports of the United States to the ports of the Eastern States exclusively.

The Government of Great Britain had already introduced into her commerce during war a system which, at once violating the rights of other nations and resting on a mass of forgery and perjury unknown to other times, was making an unfortunate progress in undermining those principles of morality and religion which are the best foundation of national happiness.

The policy now proclaimed to the world introduces into her modes of warfare a system equally distinguished by the deformity of its features and the depravity of its character, having for its object to dissolve the ties of allegiance and the sentiments of loyalty in the adversary nation, and to seduce and separate its component parts the one from the other.

The general tendency of these demoralizing and disorganizing contrivances will be reprobated by the civilized and Christian world, and the insulting attempt on the virtue, the honor, the patriotism, and the fidelity of our brethren of the Eastern States will not fail to call forth all their indignation and resentment, and to attach more and more all the States to that happy Union and Constitution against which such insidious and malignant artifices are directed.

The better to guard, nevertheless, against the effect of individual cupidity and treachery and to turn the corrupt projects of the enemy against himself, I recommend to the consideration of Congress the expediency of an effectual prohibition of any trade whatever by citizens or inhabitants of the United States under special licenses, whether relating to persons or ports, and in aid thereof a prohibition of all exportations from the United States in foreign bottoms, few of which are actually employed, whilst multiplying counterfeits of their flags and papers are covering and encouraging the navigation of the enemy.

JAMES MADISON.

MARCH 3, 1813.

To the House of Representatives of the United States:

Conformably to the resolution of the House of Representatives of the 27th of January last, I transmit "rolls of the persons having office or employment of a public nature under the United States."

JAMES MADISON.

VETO MESSAGE.

NOVEMBER 5, 1812.

To the Senate and House of Representatives of the United States:

The bill entitled "An act supplementary to the acts heretofore passed on the subject of an uniform rule of naturalization," which passed the two Houses at the last session of Congress, having appeared to me liable to abuse by aliens having no real purpose of effectuating a naturalization, and therefore not been signed, and having been presented at an hour too near the close of the session to be returned with objections for reconsideration, the bill failed to become a law. I also recommend that provision be now made in favor of aliens entitled to the contemplated benefit, under such regulations as will prevent advantage being taken of it for improper purposes.

JAMES MADISON.

SECOND INAUGURAL ADDRESS.

About to add the solemnity of an oath to the obligations imposed by a second call to the station in which my country heretofore placed me, I find in the presence of this respectable assembly an opportunity of publicly repeating my profound sense of so distinguished a confidence and of the responsibility united with it. The impressions on me are strengthened by such an evidence that my faithful endeavors to discharge my arduous duties have been favorably estimated, and by a consideration of the momentous period at which the trust has been renewed. From the weight and magnitude now belonging to it I should be compelled to shrink if I had less reliance on the support of an enlightened and generous people, and felt less deeply a conviction that the war with a powerful nation, which forms so prominent a feature in our situation, is stamped with that justice which invites the smiles of Heaven on the means of conducting it to a successful termination.

May we not cherish this sentiment without presumption when we reflect on the characters by which this war is distinguished?

It was not declared on the part of the United States until it had been long made on them, in reality though not in name; until arguments and expostulations had been exhausted; until a positive declaration had been received that the wrongs provoking it would not be discontinued; nor until this last appeal could no longer be delayed without breaking down the spirit of the nation, destroying all confidence in itself and in its political institutions, and either perpetuating a state of disgraceful suffering or regaining by more costly sacrifices and more severe struggles our lost rank and respect among independent powers.

On the issue of the war are staked our national sovereignty on the high seas and the security of an important class of citizens, whose occupations give the proper value to those of every other class. Not to contend for such a stake is to surrender our equality with other powers on the element common to all and to violate the sacred title which every member of the society has to its protection. I need not call into view the unlawfulness of the practice by which our mariners are forced at the will of every cruising officer from their own vessels into foreign ones, nor paint the outrages inseparable from it. The proofs are in the records of each successive Administration of our Government, and the cruel sufferings of that portion of the American people have found their way to every bosom not dead to the sympathies of human nature.

As the war was just in its origin and necessary and noble in its objects, we can reflect with a proud satisfaction that in carrying it on no principle of justice or honor, no usage of civilized nations, no precept of courtesy or humanity, have been infringed. The war has been waged on our part with scrupulous regard to all these obligations, and in a spirit of liberality which was never surpassed.

How little has been the effect of this example on the conduct of the enemy!

They have retained as prisoners of war citizens of the United States not liable to be so considered under the usages of war.

They have refused to consider as prisoners of war, and threatened to punish as traitors and deserters, persons emigrating without restraint to the United States, incorporated by naturalization into our political family, and fighting under the authority of their adopted country in open and honorable war for the maintenance of its rights and safety. Such is the avowed purpose of a Government which is in the practice of naturalizing by thousands citizens of other countries, and not only of permitting but compelling them to fight its battles against their native country.

They have not, it is true, taken into their own hands the hatchet and the knife, devoted to indiscriminate massacre, but they have let loose the savages armed with these cruel instruments; have allured them into their service, and carried them to battle by their sides, eager to glut their savage thirst with the blood of the vanquished and to finish the work of torture and death on maimed and defenseless captives. And, what was never before seen, British commanders have extorted victory over the unconquerable valor of our troops by presenting to the sympathy of their chief captives awaiting massacre from their savage associates. And now we find them, in further contempt of the modes of honorable warfare, supplying the place of a conquering force by attempts to disorganize our political society, to dismember our confederated Republic. Happily, like others, these will recoil on the authors; but they mark the degenerate counsels from which they emanate, and if they did not belong to a series of unexampled inconsistencies might excite the greater wonder as proceeding from a Government which founded the very war in which it has been so long engaged on a charge against the disorganizing and insurrectional policy of its adversary.

To render the justice of the war on our part the more conspicuous, the reluctance to commence it was followed by the earliest and strongest manifestations of a disposition to arrest its progress. The sword was scarcely out of the scabbard before the enemy was apprised of the reasonable terms on which it would be resheathed. Still more precise advances were repeated, and have been received in a spirit forbidding every reliance not placed on the military resources of the nation.

These resources are amply sufficient to bring the war to an honorable issue. Our nation is in number more than half that of the British Isles. It is composed of a brave, a free, a virtuous, and an intelligent people. Our country abounds in the necessaries, the arts, and the comforts of life. A general prosperity is visible in the public countenance. The means employed by the British cabinet to undermine it have recoiled on themselves;

have given to our national faculties a more rapid development, and, draining or diverting the precious metals from British circulation and British vaults, have poured them into those of the United States. It is a propitious consideration that an unavoidable war should have found this seasonable facility for the contributions required to support it. When the public voice called for war, all knew, and still know, that without them it could not be carried on through the period which it might last, and the patriotism, the good sense, and the manly spirit of our fellow-citizens are pledges for the cheerfulness with which they will bear each his share of the common burden. To render the war short and its success sure, animated and systematic exertions alone are necessary, and the success of our arms now may long preserve our country from the necessity of another resort to them. Already have the gallant exploits of our naval heroes proved to the world our inherent capacity to maintain our rights on one element. If the reputation of our arms has been thrown under clouds on the other, presaging flashes of heroic enterprise assure us that nothing is wanting to correspondent triumphs there also but the discipline and habits which are in daily progress.

MARCH 4, 1813.

SPECIAL SESSION MESSAGE.

WASHINGTON, *May 25, 1813.*

Fellow-Citizens of the Senate and of the House of Representatives:

At an early day after the close of the last session of Congress an offer was formally communicated from His Imperial Majesty the Emperor of Russia of his mediation, as the common friend of the United States and Great Britain, for the purpose of facilitating a peace between them. The high character of the Emperor Alexander being a satisfactory pledge for the sincerity and impartiality of his offer, it was immediately accepted, and as a further proof of the disposition on the part of the United States to meet their adversary in honorable experiments for terminating the war it was determined to avoid intermediate delays incident to the distance of the parties by a definitive provision for the contemplated negotiation. Three of our eminent citizens were accordingly commissioned with the requisite powers to conclude a treaty of peace with persons clothed with like powers on the part of Great Britain. They are authorized also to enter into such conventional regulations of the commerce between the two countries as may be mutually advantageous. The two envoys who where in the United States at the time of their appointment have proceeded to join their colleague already at St. Petersburg.

The envoys have received another commission authorizing them to conclude with Russia a treaty of commerce with a view to strengthen the amicable relations and improve the beneficial intercourse between the two countries.

The issue of this friendly interposition of the Russian Emperor and this pacific manifestation on the part of the United States time only can decide. That the sentiments of Great Britain toward that Sovereign will have produced an acceptance of his offered mediation must be presumed. That no adequate motives exist to prefer a continuance of war with the United States to the terms on which they are willing to close it is certain. The British cabinet also must be sensible that, with respect to the important question of impressment, on which the war so essentially turns, a search for or seizure of British persons or property on board neutral vessels on the high seas is not a belligerent right derived from the law of nations, and it is obvious that no visit or search or use of force for any purpose on board the vessels of one independent power on the high seas can in war or peace be sanctioned by the laws or authority of another power. It is equally obvious that, for the purpose of preserving to each State its seafaring members, by excluding them from the vessels of the other, the mode heretofore proposed by the United States and now enacted by them as an article of municipal policy, can not for a moment be compared with the mode practiced by Great Britain without a conviction of its title to preference, inasmuch as the latter leaves the discrimination between the mariners of the two nations to officers exposed by unavoidable bias as well as by a defect of evidence to a wrong decision, under circumstances precluding for the most part the enforcement of controlling penalties, and where a wrong decision, besides the irreparable violation of the sacred rights of persons, might frustrate the plans and profits of entire voyages; whereas the mode assumed by the United States guards with studied fairness and efficacy against errors in such cases and avoids the effect of casual errors on the safety of navigation and the success of mercantile expeditions.

If the reasonableness of expectations drawn from these considerations could guarantee their fulfillment a just peace would not be distant. But it becomes the wisdom of the National Legislature to keep in mind the true policy, or rather the indispensable obligation, of adapting its measures to the supposition that the only course to that happy event is in the vigorous employment of the resources of war. And painful as the reflection is, this duty is particularly enforced by the spirit and manner in which the war continues to be waged by the enemy, who, uninfluenced by the unvaried examples of humanity set them, are adding to the savage fury of it on one frontier a system of plunder and conflagration on the other, equally forbidden by respect for national character and by the established rules of civilized warfare.

As an encouragement to persevering and invigorated exertions to bring the contest to a happy result, I have the satisfaction of being able to appeal to the auspicious progress of our arms both by land and on the water.

In continuation of the brilliant achievements of our infant Navy, a signal triumph has been gained by Captain Lawrence and his companions in the *Hornet* sloop of war, which destroyed a British sloop of war with a celerity so unexampled and with a slaughter of the enemy so disproportionate to the loss in the *Hornet* as to claim for the conquerors the highest praise and the full recompense provided by Congress in preceding cases. Our public ships of war in general, as well as the private armed vessels, have continued also their activity and success against the commerce of the enemy, and by their vigilance and address have greatly frustrated the efforts of the hostile squadrons distributed along our coasts to intercept them in returning into port and resuming their cruises.

The augmentation of our naval force, as authorized at the last session of Congress, is in progress. On the Lakes our superiority is near at hand where it is not already established.

The events of the campaign, so far as they are known to us, furnish matter of congratulation, and show that under a wise organization and efficient direction the Army is destined to a glory not less brilliant than that which already encircles the Navy. The attack and capture of York is in that quarter a presage of future and greater victories, while on the western frontier the issue of the late siege of Fort Meigs leaves us nothing to regret but a single act of inconsiderate valor.

The provisions last made for filling the ranks and enlarging the staff of the Army have had the best effects. It will be for the consideration of Congress whether other provisions depending on their authority may not still further improve the military establishment and the means of defense.

The sudden death of the distinguished citizen who represented the United States in France, without any special arrangements by him for such a contingency, has left us without the expected sequel to his last communications, nor has the French Government taken any measures for bringing the depending negotiations to a conclusion through its representative in the United States. This failure adds to delays before so unreasonably spun out. A successor to our deceased minister has been appointed and is ready to proceed on his mission. The course which he will pursue in fulfilling it is that prescribed by a steady regard to the true interests of the United States, which equally avoids an abandonment of their just demands and a connection of their fortunes with the systems of other powers.

The receipts in the Treasury from the 1st of October to the 31st day of March last, including the sums received on account of Treasury notes and of the loans authorized by the acts of the last and the preceding sessions of Congress, have amounted to $15,412,000. The expenditures during the same period amounted to $15,920,000, and left in the Treasury on the 1st of April the sum of $1,857,000. The loan of $16,000,000, authorized by the act of the 8th of February last, has been contracted for. Of that sum more than $1,000,000 had been paid into the Treasury prior to the 1st of April, and formed a part of the receipts as above stated. The remainder of that loan, amounting to near $15,000,000, with the sum of $5,000,000 authorized to be issued in Treasury notes, and the estimated receipts from the customs and the sales of public lands, amounting to $9,300,000, and making, in the whole, $29,300,000, to be received during the last nine months of the present year, will be necessary to meet the expenditures already authorized and the engagements contracted in relation to the public debt. These engagements amount during that period to $10,500,000, which, with near one million for the civil, miscellaneous, and diplomatic expenses, both foreign and domestic, and $17,800,000 for the military and naval expenditures, including the ships of war building and to be built, will leave a sum in the Treasury at the end of the present year equal to that on the 1st of April last. A part of this sum may be considered as a resource for defraying any extraordinary expenses already authorized by law beyond the sums above estimated, and a further resource for any emergency may be found in the sum of $1,000,000, the loan of which to the United States has been authorized by the State of Pennsylvania, but which has not yet been brought into effect.

This view of our finances, whilst it shows that due provision has been made for the expenses of the current year, shows at the same time, by the limited amount of the actual revenue and the dependence on loans, the necessity of providing more adequately for the future supplies of the Treasury. This can be best done by a well-digested system of internal revenue in aid of existing sources, which will have the effect both of abridging the amount of necessary loans and, on that account, as well as by placing the public credit on a more satisfactory basis, of improving the terms on which loans may be obtained. The loan of sixteen millions was not contracted for at a less interest than about 7½ per cent, and, although other causes may have had an agency, it can not be doubted that, with the advantage of a more extended and less precarious revenue, a lower rate of interest might have sufficed. A longer postponement of this advantage could not fail to have a still greater influence on future loans.

In recommending to the National Legislature this resort to additional taxes I feel great satisfaction in the assurance that our constituents, who have already displayed so much zeal and firmness in the cause of their country, will cheerfully give any other proof of their patriotism which it calls for. Happily no people, with local and transitory exceptions never to be wholly avoided, are more able than the people of the United States to spare for the public wants a portion of their private means, whether regard be had to the ordinary profits of industry or the ordinary price of subsistence in our country compared with those in any other. And in no case could stronger reasons be felt for yielding the requisite contributions. By rendering the public resources certain and commensurate to the public exigencies, the constituted authorities will be able to prosecute the war the more rapidly to its proper issue; every hostile hope founded on a calculated failure of our resources will be cut off, and by adding to the evidence of bravery and skill in combats on the ocean and the land, and alacrity in supplying the treasure necessary to give them their fullest effect, and demonstrating to the world the public energy which our political institutions combine, with the personal liberty distinguishing them, the best security will be provided against future enterprises on the rights or the peace of the nation.

The contest in which the United States are engaged appeals for its support to every motive that can animate an uncorrupted and enlightened people—to the love of country; to the pride of liberty; to an emulation of the glorious founders of their independence by a successful vindication of its violated attributes; to the gratitude and sympathy which demand security from the most degrading wrongs of a class of citizens who have proved themselves so worthy the protection of their country by their heroic zeal in its defense; and, finally, to the sacred obligation of transmitting entire to future generations that precious patrimony of national rights and independence which is held in trust by the present from the goodness of Divine Providence.

Being aware of the inconveniences to which a protracted session at this season would be liable, I limit the present communication to objects of primary importance. In special messages which may ensue regard will be had to the same consideration.

JAMES MADISON.

SPECIAL MESSAGES.

MAY 29, 1813.

To the Senate of the United States:

The Swedish Government having repeatedly manifested a desire to interchange a public minister with the United States, and having lately appointed one with that view, and other considerations concurring to render it advisable at this period to make a correspondent appointment, I nominate Jonathan Russell, of Rhode Island, to be minister plenipotentiary of the United States to Sweden.

JAMES MADISON.

WASHINGTON, *July 6, 1813*.

To the Senate of the United States:

I have received from the committee appointed by the resolution of the Senate of the 14th day of June a copy of that resolution, which authorizes the committee to confer with the President on the subject of the nomination made by him of a minister plenipotentiary to Sweden.

Conceiving it to be my duty to decline the proposed conference with the committee, and it being uncertain when it may be convenient to explain to the committee, and through them to the Senate, the grounds of my so doing, I think it proper to address the explanation directly to the Senate. Without entering into a general review of the relations in which the Constitution has placed the several departments of the Government to each other, it will suffice to remark that the Executive and Senate, in the cases of appointments to office and of treaties, are to be considered as independent of and coordinate with each other. If they agree, the appointments or treaties are made; if the Senate disagree, they fail. If the Senate wish information previous to their final decision, the practice, keeping in view the constitutional relations of the Senate and the Executive, has been either to request the Executive to furnish it or to refer the subject to a committee of their body to communicate, either formally or informally, with the head of the proper department. The appointment of a committee of the Senate to confer immediately with the Executive himself appears to lose sight of the coordinate relation between the Executive and the Senate which the Constitution has established, and which ought therefore to be maintained.

The relation between the Senate and House of Representatives, in whom legislative power is concurrently vested, is sufficiently analogous to illustrate that between the Executive and Senate in making appointments and treaties. The two Houses are in like manner independent of and coordinate with each other, and the invariable practice of each in appointing committees of conference and consultation is to commission them to confer not with the coordinate body itself, but with a committee of that body; and although both branches of the Legislature may be too numerous to hold conveniently a conference with committees, were they to be appointed by either to confer with the entire body of the other, it may be fairly presumed that if the whole number of either branch were not too large for the purpose the objection to such a conference, being against the principle as derogating from the coordinate relations of the two Houses, would retain all its force.

I add only that I am entirely persuaded of the purity of the intentions of the Senate in the course they have pursued on this occasion, and with which my view of the subject makes it my duty not to accord, and that they will be cheerfully furnished with all the suitable information in possession of the Executive in any mode deemed consistent with the principles of the Constitution and the settled practice under it.

JAMES MADISON.

WASHINGTON, *July 20, 1813*.

To the Senate and House of Representatives of the United States:

There being sufficient ground to infer that it is the purpose of the enemy to combine with the blockade of our ports special licenses to neutral vessels or to British vessels in neutral disguises, whereby they may draw from our country the precise kind and quantity of exports essential to their wants, whilst its general commerce remains obstructed, keeping in view also the insidious discrimination between the different ports of the United States; and as such a system, if not counteracted, will have the effect of diminishing very materially the pressure of the war on the enemy, and encouraging a perseverance in it, at the same time that it will leave the general commerce of the United States under all the pressure the enemy can impose, thus subjecting the whole to British regulation in subserviency to British monopoly, I recommend to the consideration of Congress the expediency of an immediate and effectual prohibition of exports limited to a convenient day in their next session, and removable in the meantime in the event of a cessation of the blockade of our ports.

JAMES MADISON.

PROCLAMATION.

[From Niles's Weekly Register, vol. 4, p. 345.]

A PROCLAMATION.

Whereas the Congress of the United States, by a joint resolution of the two Houses, have signified a request that a day may be recommended to be observed by the people of the United States with religious solemnity as a day of public humiliation and prayer; and

Whereas in times of public calamity such as that of the war brought on the United States by the injustice of a foreign government it is especially becoming that the hearts of all should be touched with the same and the eyes of all be turned to that Almighty Power in whose hand are the welfare and the destiny of nations:

I do therefore issue this my proclamation, recommending to all who shall be piously disposed to unite their hearts and voices in addressing at one and the same time their vows and adorations to the Great Parent and Sovereign of the Universe that they assemble on the second Thursday of September next in their respective religious congregations to render Him thanks for the many blessings He has bestowed on the people of the United States; that He has blessed them with a land capable of yielding all the necessaries and requisites of human life, with ample means for convenient exchanges with foreign countries; that He has blessed the labors employed in its cultivation and improvement; that He is now blessing the exertions to extend and establish the arts and manufactures which will secure within ourselves supplies too important to remain dependent on the precarious policy or the peaceable dispositions of other nations, and particularly that He has blessed the United States with a political Constitution founded on the will and authority of the whole people and guaranteeing to each individual security, not only of his person and his property, but of those sacred rights of conscience so essential to his present happiness and so dear to his future hopes; that with those expressions of devout thankfulness be joined supplications to the same Almighty Power that He would look down with compassion on our infirmities; that He would pardon our manifold transgressions and awaken and strengthen in all the wholesome purposes of repentance and amendment; that in this season of trial and calamity He would preside in a particular manner over our public councils and inspire all citizens with a love of their country and with those fraternal affections and that mutual confidence which have so happy a tendency to make us safe at home and respected abroad; and that as He was graciously pleased heretofore to smile on our struggles against the attempts of the Government of the Empire of which these States then made a part to wrest from them the rights and privileges to which they were entitled in common with every other part and to raise them to the station of an independent and sovereign people, so He would now be pleased in like manner to bestow His blessing on our arms in resisting the hostile and persevering efforts of the same power to degrade us on the ocean, the common inheritance of all, from rights and immunities belonging and essential to the American people as a coequal member of the great community of independent nations; and that, inspiring our enemies with moderation, with justice, and with that spirit of reasonable accommodation which our country has continued to manifest, we may be enabled to beat our swords into plowshares and to enjoy in peace every man the fruits of his honest industry and the rewards of his lawful enterprise.

If the public homage of a people can ever be worthy the favorable regard of the Holy and Omniscient Being to whom it is addressed, it must be that in which those who join in it are guided only by their free choice, by the impulse of their hearts and the dictates of their consciences; and such a spectacle must be interesting to all Christian nations as proving that religion, that gift of Heaven for the good of man, freed from all coercive edicts, from that unhallowed connection with the powers of this world which corrupts religion into an instrument or an usurper of the policy of the state, and making no appeal but to reason, to the heart, and to the conscience, can spread its benign influence everywhere and can attract to the divine altar those freewill offerings of humble supplication, thanksgiving, and praise which alone can be acceptable to Him whom no hypocrisy can deceive and no forced sacrifices propitiate.

Upon these principles and with these views the good people of the United States are invited, in conformity with the resolution aforesaid, to dedicate the day above named to the religious solemnities therein recommended.

Given at Washington, this 23d day of July, A. D. 1813.

[SEAL.] JAMES MADISON.

FIFTH ANNUAL MESSAGE.

WASHINGTON, *December 7, 1813.*

Fellow-Citizens of the Senate and of the House of Representatives:

In meeting you at the present interesting conjuncture it would have been highly satisfactory if I could have communicated a favorable result to the mission charged with negotiations for restoring peace. It was a just expectation, from the respect due to the distinguished Sovereign who had invited them by his offer of mediation, from the readiness with which the invitation was accepted on the part of the United States, and from the pledge to be found in an act of their Legislature for the liberality which their plenipotentiaries would carry into the negotiations, that no time would be lost by the British Government in embracing the experiment for hastening a stop to the effusion of blood. A prompt and cordial acceptance of the mediation on that side was the less to be doubted, as it was of a nature not to submit rights or pretensions on either side to the decision of an umpire, but to afford merely an opportunity, honorable and desirable to both, for discussing and, if possible, adjusting them for the interest of both.

The British cabinet, either mistaking our desire of peace for a dread of British power or misled by other fallacious calculations, has disappointed this reasonable anticipation. No communications from our envoys having reached us, no information on the subject has been received from that source; but it is known that the mediation was declined in the first instance, and there is no evidence, notwithstanding the lapse of time, that a change of disposition in the British councils has taken place or is to be expected.

Under such circumstances a nation proud of its rights and conscious of its strength has no choice but an exertion of the one in support of the other.

To this determination the best encouragement is derived from the success with which it has pleased the Almighty to bless our arms both on the land and on the water.

Whilst proofs have been continued of the enterprise and skill of our cruisers, public and private, on the ocean, and a new trophy gained in the capture of a British by an American vessel of war, after an action giving celebrity to the name of the victorious commander, the great inland waters on which the enemy were also to be encountered have presented achievements of our naval arms as brilliant in their character as they have been important in their consequences.

On Lake Erie, the squadron under command of Captain Perry having met the British squadron of superior force, a sanguinary conflict ended in the capture of the whole. The conduct of that officer, adroit as it was daring, and which was so well seconded by his comrades, justly entitles them to the admiration and gratitude of their country, and will fill an early page in its naval annals with a victory never surpassed in luster, however much it may have been in magnitude.

On Lake Ontario the caution of the British commander, favored by contingencies, frustrated the efforts of the American commander to bring on a decisive action. Captain Chauncey was able, however, to establish an ascendency on that important theater, and to prove by the manner in which he effected everything possible that opportunities only were wanted for a more shining display of his own talents and the gallantry of those under his command.

The success on Lake Erie having opened a passage to the territory of the enemy, the officer commanding the Northwestern army transferred the war thither, and rapidly pursuing the hostile troops, fleeing with their savage associates, forced a general action, which quickly terminated in the capture of the British and dispersion of the savage force.

This result is signally honorable to Major-General Harrison, by whose military talents it was prepared; to Colonel Johnson and his mounted volunteers, whose impetuous onset gave a decisive blow to the ranks of the enemy, and to the spirit of the volunteer militia, equally brave and patriotic, who bore an interesting part in the scene; more especially to the chief magistrate of Kentucky, at the head of them, whose heroism signalized in the war which established the independence of his country, sought at an advanced age a share in hardships and battles for maintaining its rights and its safety.

The effect of these successes has been to rescue the inhabitants of Michigan from their oppressions, aggravated by gross infractions of the capitulation which subjected them to a foreign power; to alienate the savages of numerous tribes from the enemy, by whom they were disappointed and abandoned, and to relieve an extensive region of country from a merciless warfare which desolated its frontiers and imposed on its citizens the most harassing services.

In consequence of our naval superiority on Lake Ontario and the opportunity afforded by it for concentrating our forces by water, operations which had been provisionally planned were set on foot against the possessions of the enemy on the St. Lawrence. Such, however, was the delay produced in the first instance by adverse weather of unusual violence and continuance and such the circumstances attending the final movements of the army, that the prospect, at one time so favorable, was not realized.

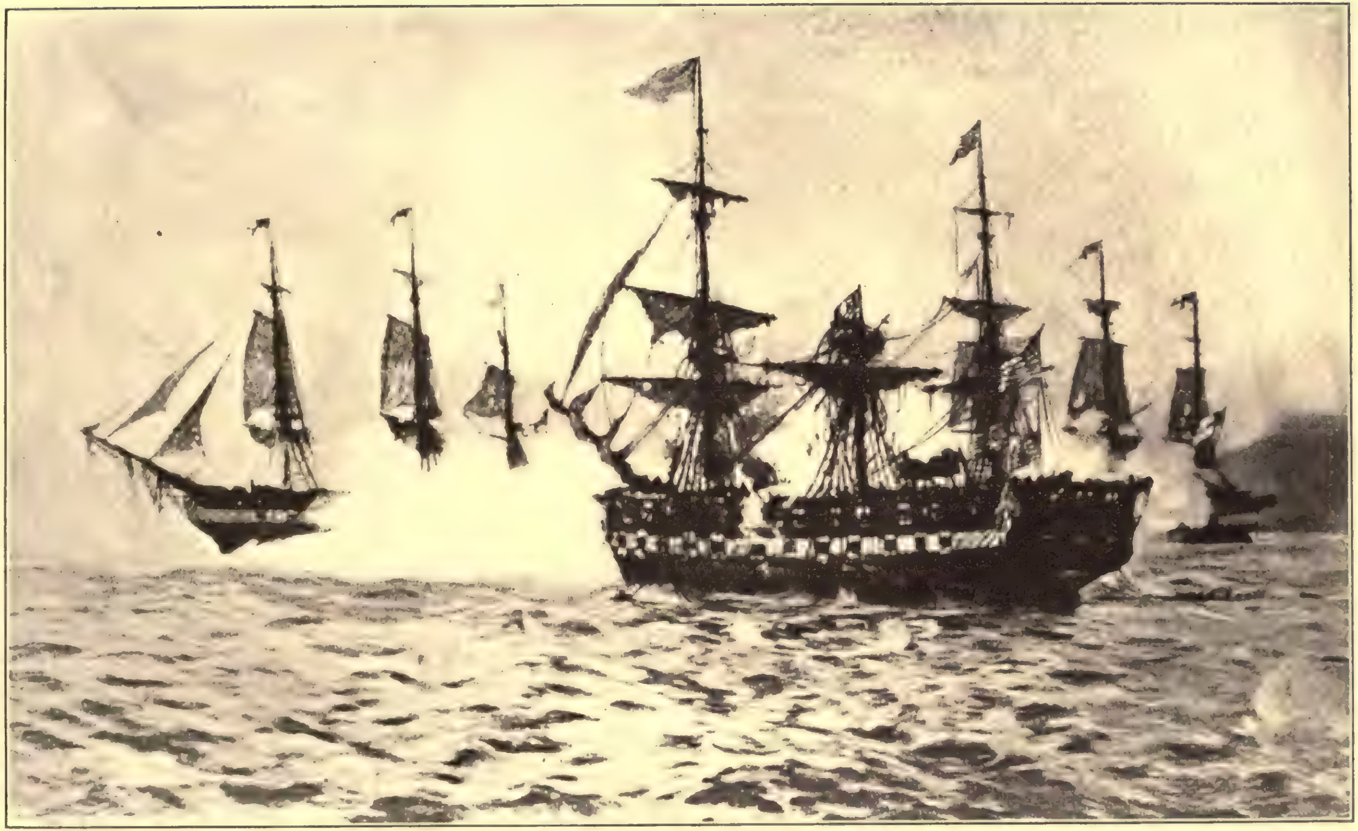
The cruelty of the enemy in enlisting the savages into a war with a nation desirous of mutual emulation in mitigating its calamities has not been confined to any one quarter. Wherever they could be turned against us no exertions to effect it have been spared. On our southwestern border the Creek tribes, who, yielding to our persevering endeavors, were gradually acquiring more civilized habits, became the unfortunate victims of seduction. A war in that quarter has been the consequence, infuriated by a bloody fanaticism recently propagated among them. It was necessary to crush such a war before it could spread among the contiguous tribes and before it could favor enterprises of the enemy into that vicinity. With this view a force was called into the service of the United States from the States of Georgia and Tennessee, which, with the nearest regular troops and other corps from the Mississippi Territory, might not only chastise the savages into present peace but make a lasting impression on their fears.

The progress of the expedition, as far as is yet known, corresponds with the martial zeal with which it was espoused, and the best hopes of a satisfactory issue are authorized by the complete success with which a well-planned enterprise was executed against a body of hostile savages by a detachment of the volunteer militia of Tennessee, under the gallant command of General Coffee, and by a still more important victory over a larger body of them, gained under the immediate command of Major-General Jackson, an officer equally distinguished for his patriotism and his military talents.

The systematic perseverance of the enemy in courting the aid of the savages in all quarters had the natural effect of kindling their ordinary propensity to war into a passion, which, even among those best disposed toward the United States, was ready, if not employed on our side, to be turned against us. A departure from our protracted forbearance to accept the services tendered by them has thus been forced upon us. But in yielding to it the retaliation has been mitigated as much as possible, both in its extent and in its character, stopping far short of the example of the enemy, who owe the advantages they have occasionally gained in battle chiefly to the number of their savage associates, and who have not controlled them either from their usual practice of indiscriminate massacre on defenseless inhabitants or from scenes of carnage without a parallel on prisoners to the British arms, guarded by all the laws of humanity and of honorable war. For these enormities the enemy are equally responsible, whether with the power to prevent them they want the will or with the knowledge of a want of power they still avail themselves of such instruments.

In other respects the enemy are pursuing a course which threatens consequences most afflicting to humanity.

A standing law of Great Britain naturalizes, as is well known, all aliens complying with conditions limited to a shorter period than those required by the United States, and naturalized subjects are in war employed by her Government in common with native subjects. In a contiguous British Province regulations promulgated since the commencement of the war compel citizens of the United States being there under certain circumstances to bear arms, whilst of the native emigrants from



THE ESSEX BEING CUT TO PIECES

END OF THE "ESSEX."

In the War of 1812, the United States man-of-war, the "Essex," brought back vivid memories of Drake by sailing around Cape Horn under Captain Porter, and wreaking havoc upon English commerce in the Pacific. In February, 1814, Porter entered the harbor of Valparaiso, Chile, only to be blockaded by two heavier and larger English men-of-war. The "Essex" remained within the harbor until March 28th, when she tried to escape, only to be driven by a squall to take refuge within a bay off the coast. When Porter had only one officer remaining alive, and only 75 men left of his crew of 225, with his ship on fire and a hopeless wreck, he was compelled to surrender to superior force. (See Essex in Encyclopedic Index.)

the United States, who compose much of the population of the Province, a number have actually borne arms against the United States within their limits, some of whom, after having done so, have become prisoners of war, and are now in our possession. The British commander in that Province, nevertheless, with the sanction, as appears, of his Government, thought proper to select from American prisoners of war and send to Great Britain for trial as criminals a number of individuals who had emigrated from the British dominions long prior to the state of war between the two nations, who had incorporated themselves into our political society in the modes recognized by the law and the practice of Great Britain, and who were made prisoners of war under the banners of their adopted country, fighting for its rights and its safety.

The protection due to these citizens requiring an effectual interposition in their behalf, a like number of British prisoners of war were put into confinement, with a notification that they would experience whatever violence might be committed on the American prisoners of war sent to Great Britain.

It was hoped that this necessary consequence of the step unadvisedly taken on the part of Great Britain would have led her Government to reflect on the inconsistencies of its conduct, and that a sympathy with the British, if not with the American, sufferers would have arrested the cruel career opened by its example.

This was unhappily not the case. In violation both of consistency and of humanity, American officers and noncommissioned officers in double the number of the British soldiers confined here were ordered into close confinement, with formal notice that in the event of a retaliation for the death which might be inflicted on the prisoners of war sent to Great Britain for trial the officers so confined would be put to death also. It was notified at the same time that the commanders of the British fleets and armies on our coasts are instructed in the same event to proceed with a destructive severity against our towns and their inhabitants.

That no doubt might be left with the enemy of our adherence to the retaliatory resort imposed on us, a correspondent number of British officers, prisoners of war in our hands, were immediately put into close confinement to abide the fate of those confined by the enemy, and the British Government has been apprised of the determination of this Government to retaliate any other proceedings against us contrary to the legitimate modes of warfare.

It is as fortunate for the United States that they have it in their power to meet the enemy in this deplorable contest as it is honorable to them that they do not join in it but under the most imperious obligations, and with the humane purpose of effectuating a return to the established usages of war.

The views of the French Government on the subjects which have been so long committed to negotiation have received no elucidation since the close of your late session. The minister plenipotentiary of the United States at Paris had not been enabled by proper opportunities to press the objects of his mission as prescribed by his instructions.

The militia being always to be regarded as the great bulwark of defense and security for free states, and the Constitution having wisely committed to the national authority a use of that force as the best provision against an unsafe military establishment, as well as a resource peculiarly adapted to a country having the extent and the exposure of the United States, I recommend to Congress a revision of the militia laws for the purpose of securing more effectually the services of all detachments called into the employment and placed under the Government of the United States.

It will deserve the consideration of Congress also whether among other improvements in the militia laws justice does not require a regulation, under due precautions, for defraying the expense incident to the first assembling as well as the subsequent movements of detachments called into the national service.

To give to our vessels of war, public and private, the requisite advantage in their cruises, it is of much importance that they should have, both for themselves and their prizes, the use of the ports and markets of friendly powers. With this view, I recommend to Congress the expediency of such legal provisions as may supply the defects or remove the doubts of the Executive authority, to allow to the cruisers of other powers at war with enemies of the United States such use of the American ports as may correspond with the privileges allowed by such powers to American cruisers.

During the year ending on the 30th of September last the receipts into the Treasury have exceeded $37,500,000, of which near twenty-four millions were the produce of loans. After meeting all demands for the public service there remained in the Treasury on that day near $7,000,000. Under the authority contained in the act of the 2d of August last for borrowing $7,500,000, that sum has been obtained on terms more favorable to the United States than those of the preceding loan made during the present year. Further sums to a considerable amount will be necessary to be obtained in the same way during the ensuing year, and from the increased capital of the country, from the fidelity with which the public engagements have been kept and the public credit maintained, it may be expected on good grounds that the necessary pecuniary supplies will not be wanting.

The expenses of the current year, from the multiplied operations falling within it, have necessarily been extensive; but on a just estimate of the campaign in which the mass of them has been incurred the cost will not be found disproportionate to the advantages which have been gained. The campaign has, indeed, in its latter stages in one quarter been less favorable than was expected, but in addition to the importance of our naval success the progress of the campaign has been filled with incidents highly honorable to the American arms.

The attacks of the enemy on Craney Island, on Fort Meigs, on Sacketts Harbor, and on Sandusky have been vigorously and successfully repulsed; nor have they in any case succeeded on either frontier excepting when directed against the peaceable dwellings of individuals or villages unprepared or undefended.

On the other hand, the movements of the American Army have been followed by the reduction of York, and of Forts George, Erie, and Malden; by the recovery of Detroit and the extinction of the Indian war in the West, and by the occupancy or command of a large portion of Upper Canada. Battles have also been fought on the borders of the St. Lawrence, which, though not accomplishing their entire objects, reflect honor on the discipline and prowess of our soldiery, the best auguries of eventual victory. In the same scale are to be placed the late successes in the South over one of the most powerful, which had become one of the most hostile also, of the Indian tribes.

It would be improper to close this communication without expressing a thankfulness in which all ought to unite for the numerous blessings with which our beloved country continues to be favored; for the abundance which overspreads our land, and the prevailing health of its inhabitants; for the preservation of our internal tranquillity, and the stability of our free institutions, and, above all, for the light of divine truth and the protection of every man's conscience in the enjoyment of it. And although among our blessings we can not number an exemption from the evils of war, yet these will never be regarded as the greatest of evils by the friends of liberty and of the rights of nations. Our country has before preferred them to the degraded condition which was the alternative when the sword was drawn in the cause which gave birth to our national independence, and none who contemplate the magnitude and feel the value of that glorious event will shrink from a struggle to maintain the high and happy ground on which it placed the American people.

With all good citizens the justice and necessity of resisting wrongs and usurpations no longer to be borne will sufficiently outweigh the privations and sacrifices inseparable from a state of war. But it is a reflection, moreover, peculiarly consoling, that, whilst wars are generally aggravated by their baneful effects on the internal improvements and permanent prosperity of the nations engaged in them, such is the favored situation of the United States that the calamities of the contest into which they have been compelled to enter are mitigated by improvements and advantages of which the contest itself is the source.

If the war has increased the interruptions of our commerce, it has at the same time cherished and multiplied our manufactures so as to make us independent of all other countries for the more essential branches for which we ought to be dependent on none, and is even rapidly giving them an extent which will create additional staples in our future intercourse with foreign markets.

If much treasure has been expended, no inconsiderable portion of it has been applied to objects durable in their value and necessary to our permanent safety.

If the war has exposed us to increased spoliations on the ocean and to predatory incursions on the land, it has developed the national means of retaliating the former and of providing protection against the latter, demonstrating to all that every blow aimed at our maritime independence is an impulse accelerating the growth of our maritime power.

By diffusing through the mass of the nation the elements of military discipline and instruction; by augmenting and distributing warlike preparations applicable to future use; by evincing the zeal and valor with which they will be employed and the cheerfulness with which every necessary burden will be borne, a greater respect for our rights and a longer duration of our future peace are promised than could be expected without these proofs of the national character and resources.

The war has proved moreover that our free Government, like other free governments, though slow in its early movements, acquires in its progress a force proportioned to its freedom, and that the union of these States, the guardian of the freedom and safety of all and of each, is strengthened by every occasion that puts it to the test.

In fine, the war, with all its vicissitudes, is illustrating the capacity and the destiny of the United States to be a great, a flourishing, and a powerful nation, worthy of the friendship which it is disposed to cultivate with all others, and authorized by its own example to require from all an observance of the laws of justice and reciprocity. Beyond these their claims have never extended, and in contending for these we behold a subject for our congratulations in the daily testimonies of increasing harmony throughout the nation, and may humbly repose our trust in the smiles of Heaven on so righteous a cause.

JAMES MADISON.

SPECIAL MESSAGES.

DECEMBER 9, 1813.

To the Senate and House of Representatives of the United States:

The tendency of our commercial and navigation laws in their present state to favor the enemy and thereby prolong the war is more and more developed by experience. Supplies of the most essential kinds find their way not only to British ports and British armies at a distance, but the armies in our neighborhood with which our own are contending derive from our ports and outlets a subsistence attainable with difficulty, if at all, from other sources. Even the fleets and troops infesting our coasts and waters are by like supplies accommodated and encouraged in their predatory and incursive warfare.

Abuses having a like tendency take place in our import trade. British fabrics and products find their way into our ports under the name and from the ports of other countries, and often in British vessels disguised as neutrals by false colors and papers.

To these abuses it may be added that illegal importations are openly made with advantage to the violators of the law, produced by undervaluations or other circumstances involved in the course of the judicial proceedings against them.

It is found also that the practice of ransoming is a cover for collusive captures and a channel for intelligence advantageous to the enemy.

To remedy as much as possible these evils, I recommend:

That an effectual embargo on exports be immediately enacted.

That all articles known to be derived, either not at all or in any immaterial degree only, from the productions of any other country than Great Britain, and particularly the extensive articles made of wool and cotton materials, and ardent spirits made from the cane, be expressly and absolutely prohibited, from whatever port or place or in whatever vessels the same may be brought into the United States, and that all violations of the nonimportation act be subjected to adequate penalties.

That among the proofs of the neutral and national character of foreign vessels it be required that the masters and supercargoes and three-fourths at least of the crews be citizens or subjects of the country under whose flag the vessels sail.

That all persons concerned in collusive captures by the enemy or in ransoming vessels or their cargoes from the enemy be subjected to adequate penalties.

To shorten as much as possible the duration of the war it is indispensable that the enemy should feel all the pressure that can be given to it, and the restraints having that tendency will be borne with the greater cheerfulness by all good citizens, as the restraints will affect those most who are most ready to sacrifice the interest of their country in pursuit of their own.

JAMES MADISON.

JANUARY 6, 1814.

To the Senate and House of Representatives of the United States:

I transmit, for the information of Congress, copies of a letter from the British secretary of state for foreign affairs to the Secretary of State, with the answer of the latter.

In appreciating the accepted proposal of the Government of Great

Britain for instituting negotiations for peace Congress will not fail to keep in mind that vigorous preparations for carrying on the war can in no respect impede the progress to a favorable result, whilst a relaxation of such preparations, should the wishes of the United States for a speedy restoration of the blessings of peace be disappointed, would necessarily have the most injurious consequences.

JAMES MADISON.

FEBRUARY 26, 1814.

To the Senate and House of Representatives of the United States:

It has appeared that at the recovery of the Michigan Territory from the temporary possession of the enemy the inhabitants thereof were left in so destitute and distressed a condition as to require from the public stores certain supplies essential to their subsistence, which have been prolonged under the same necessity which called for them.

The deplorable situation of the savages thrown by the same event on the mercy and humanity of the American commander at Detroit drew from the same source the means of saving them from perishing by famine, and in other places the appeals made by the wants and sufferings of that unhappy description of people have been equally imperious.

The necessity imposed by the conduct of the enemy in relation to the savages of admitting their cooperation in some instances with our arms has also involved occasional expense in supplying their wants, and it is possible that a perseverance of the enemy in their cruel policy may render a further expense for the like purpose inevitable.

On these subjects an estimate from the Department of War will be laid before Congress, and I recommend a suitable provision for them.

JAMES MADISON.

MARCH 31, 1814.

To the Senate and House of Representatives of the United States:

Taking into view the mutual interests which the United States and the foreign nations in amity with them have in a liberal commercial intercourse, and the extensive changes favorable thereto which have recently taken place; taking into view also the important advantages which may otherwise result from adapting the state of our commercial laws to the circumstances now existing, I recommend to the consideration of Congress the expediency of authorizing, after a certain day, exportations, specie excepted, from the United States in vessels of the United States and in vessels owned and navigated by the subjects of powers at peace with them, and a repeal of so much of our laws as prohibits the importation of articles not the property of enemies, but produced or manufactured only within their dominions.

I recommend also, as a more effectual safeguard and encouragement to our growing manufactures, that the additional duties on imports which are to expire at the end of one year after a peace with Great Britain be prolonged to the end of two years after that event, and that, in favor of our moneyed institutions, the exportation of specie be prohibited throughout the same period.

JAMES MADISON.

PROCLAMATIONS.

[From Niles's Weekly Register, vol. 6, p. 279.]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas information has been received that a number of individuals who have deserted from the Army of the United States have become sensible of their offenses and are desirous of returning to their duty, a full pardon is hereby granted and proclaimed to each and all such individuals as shall within three months from the date hereof surrender themselves to the commanding officer of any military post within the United States or the Territories thereof.

In testimony whereof I have caused the seal of the United States to be affixed to these presents, and signed the same with my hand.

[SEAL.] Done at the city of Washington, the 17th day of June, A. D. 1814, and of the Independence of the United States the thirty-eighth.

JAMES MADISON.

By the President:

JAMES MONROE,
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is manifest that the blockade which has been proclaimed by the enemy of the whole Atlantic coast of the United States, nearly 2,000 miles in extent, and abounding in ports, harbors, and navigable inlets, can not be carried into effect by any adequate force actually stationed for the purpose, and it is rendered a matter of certainty and notoriety by the multiplied and daily arrivals and departures of the public and private armed vessels of the United States and of other vessels that no such adequate force has been so stationed; and

Whereas a blockade thus destitute of the character of a regular and legal blockade as defined and recognized by the established law of nations, whatever other purposes it may be made to answer, forms no lawful prohibition or obstacle to such neutral and friendly vessels as may choose to visit and trade with the United States; and

Whereas it accords with the interest and the amicable views of the United States to favor and promote as far as may be the free and mutually beneficial commercial intercourse of all friendly nations disposed to engage therein, and with that view to afford to their vessels destined to the United States a more positive and satisfactory security against all interruptions, molestations, or vexations whatever from the cruisers of the United States:

Now be it known that I, James Madison, President of the United States of America, do by this my proclamation strictly order and instruct all the public armed vessels of the United States and all private armed vessels commissioned as privateers or with letters of marque and reprisal not to interrupt, detain, or otherwise molest or vex any vessels whatever belonging to neutral powers or the subjects or citizens thereof, which vessels shall be actually bound and proceeding to any port or place within the jurisdiction of the United States, but, on the contrary, to render to all such vessels all the aid and kind offices which they may need or require.

Given under my hand and the seal of the United States at the city of Washington, the 29th day of June, A. D. 1814, and of the Independence of the United States the thirty-eighth.

[SEAL.]

By the President: JAMES MADISON.

JAMES MONROE,
Secretary of State.

[From Annals of Congress, Thirteenth Congress, vol. 3, 9.]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas great and weighty matters claiming the consideration of the Congress of the United States form an extraordinary occasion for convening them, I do by these presents appoint Monday, the 19th day of September next, for their meeting at the city of Washington, hereby requiring the respective Senators and Representatives then and there to assemble in Congress, in order to receive such communications as may then be made to them and to consult and determine on such measures as in their wisdom may be deemed meet for the welfare of the United States.

In testimony whereof I have caused the seal of the United States to be hereunto affixed, and signed the same with my hand.

[SEAL.]

Done at the city of Washington, the 8th day of August, A. D. 1814, and of the Independence of the United States the thirty-ninth.

JAMES MADISON.

By the President:

JAMES MONROE,
Secretary of State.

[From Niles's Weekly Register, vol. 7, p. 2.]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas the enemy by a sudden incursion have succeeded in invading the capital of the nation, defended at the moment by troops less numerous than their own and almost entirely of the militia, during their possession of which, though for a single day only, they wantonly destroyed the public edifices, having no relation in their structure to operations of war nor used at the time for military annoyance, some of these edifices being also costly monuments of taste and of the arts, and others depositories of the public archives, not only precious to the nation as the memorials of its origin and its early transactions, but interesting to all nations as contributions to the general stock of historical instruction and political science; and

Whereas advantage has been taken of the loss of a fort more immediately guarding the neighboring town of Alexandria to place the town within the range of a naval force too long and too much in the habit of abusing its superiority wherever it can be applied to require as the alternative of a general conflagration an undisturbed plunder of private property, which has been executed in a manner peculiarly distressing to the inhabitants, who had inconsiderately cast themselves upon the justice and generosity of the victor; and

Whereas it now appears by a direct communication from the British commander on the American station to be his avowed purpose to employ the force under his direction "in destroying and laying waste such towns and districts upon the coast as may be found assailable," adding to this declaration the insulting pretext that it is in retaliation for a wanton destruction committed by the army of the United States in Upper Canada, when it is notorious that no destruction has been committed, which, notwithstanding the multiplied outrages previously committed by the enemy was not unauthorized, and promptly shown to be so, and that the United States have been as constant in their endeavors to reclaim the enemy from such outrages by the contrast of their own example as they have been ready to terminate on reasonable conditions the war itself; and

Whereas these proceedings and declared purposes, which exhibit a deliberate disregard of the principles of humanity and the rules of civilized warfare, and which must give to the existing war a character of extended devastation and barbarism at the very moment of negotiations for peace, invited by the enemy himself, leave no prospect of safety to anything within the reach of his predatory and incendiary operations but in manful and universal determination to chastise and expel the invader:

Now, therefore, I, James Madison, President of the United States, do issue this my proclamation, exhorting all the good people thereof to unite their hearts and hands in giving effect to the ample means possessed for that purpose. I enjoin it on all officers, civil and military, to exert themselves in executing the duties with which they are respectively charged; and more especially I require the officers commanding the respective military districts to be vigilant and alert in providing for the defense thereof, for the more effectual accomplishment of which they are authorized to call to the defense of exposed and threatened places portions of the militia most convenient thereto, whether they be or be not parts of the quotas detached for the service of the United States under requisitions of the General Government.

On an occasion which appeals so forcibly to the proud feelings and patriotic devotion of the American people none will forget what they owe to themselves, what they owe to their country and the high destinies which await it, what to the glory acquired by their fathers in establishing the independence which is now to be maintained by their sons with the augmented strength and resources with which time and Heaven had blessed them.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed to these presents.

[SEAL.] Done at the city of Washington, the 1st day of September, A. D. 1814, and of the Independence of the United States the thirty-ninth.

JAMES MADISON.

By the President:
JAMES MONROE,
Secretary of State.

SPECIAL MESSAGE.

WASHINGTON, *September 17, 1814.*

The PRESIDENT OF THE SENATE OF THE UNITED STATES.

SIR: The destruction of the Capitol by the enemy having made it necessary that other accommodations should be provided for the meeting of Congress, chambers for the Senate and for the House of Representatives, with other requisite apartments, have been fitted up, under the direction of the superintendent of the city, in the public building heretofore allotted for the post and other public offices.

With this information, be pleased, sir, to accept assurances of my great respect and consideration.

JAMES MADISON.

SIXTH ANNUAL MESSAGE.

WASHINGTON, *September 20, 1814.*

Fellow-Citizens of the Senate and of the House of Representatives:

Notwithstanding the early day which had been fixed for your session of the present year, I was induced to call you together still sooner, as well that any inadequacy in the existing provisions for the wants of the Treasury might be supplied as that no delay might happen in providing for the result of the negotiations on foot with Great Britain, whether it should require arrangements adapted to a return of peace or further and more effective provisions for prosecuting the war.

That result is not yet known. If, on the one hand, the repeal of the orders in council and the general pacification in Europe, which withdrew the occasion on which impressments from American vessels were practiced, suggest expectations that peace and amity may be reestablished, we are compelled, on the other hand, by the refusal of the British Government to accept the offered mediation of the Emperor of Russia, by the delays in giving effect to its own proposal of a direct negotiation, and, above all, by the principles and manner in which the war is now avowedly carried on to infer that a spirit of hostility is indulged more violent than ever against the rights and prosperity of this country.

This increased violence is best explained by the two important circumstances that the great contest in Europe for an equilibrium guaranteeing all its States against the ambition of any has been closed without any check on the overbearing power of Great Britain on the ocean, and it has left in her hands disposable armaments, with which, forgetting the difficulties of a remote war with a free people, and yielding to the intoxication of success, with the example of a great victim to it before her eyes, she cherishes hopes of still further aggrandizing a power already formidable in its abuses to the tranquillity of the civilized and commercial world.

But whatever may have inspired the enemy with these more violent purposes, the public councils of a nation more able to maintain than it was to acquire its independence, and with a devotion to it rendered more ardent by the experience of its blessings, can never deliberate but on the means most effectual for defeating the extravagant views or unwarrantable passions with which alone the war can now be pursued against us.

In the events of the present campaign the enemy, with all his augmented means and wanton use of them, has little ground for exultation, unless he can feel it in the success of his recent enterprises against this metropolis and the neighboring town of Alexandria, from both of which his retreats were as precipitate as his attempts were bold and fortunate. In his other incursions on our Atlantic frontier his progress, often checked and chastised by the martial spirit of the neighboring citizens, has had more effect in distressing individuals and in dishonoring his arms than in promoting any object of legitimate warfare; and in the two instances mentioned, however deeply to be regretted on our part, he will find in his transient success, which interrupted for a moment only the ordinary public business at the seat of Government, no compensation for the loss of character with the world by his violations of private property and by his destruction of public edifices protected as monuments of the arts by the laws of civilized warfare.

On our side we can appeal to a series of achievements which have given new luster to the American arms. Besides the brilliant incidents in the minor operations of the campaign, the splendid victories gained on the Canadian side of the Niagara by the American forces under Major-General Brown and Brigadiers Scott and Gaines have gained for these heroes and their emulating companions the most unfading laurels, and, having triumphantly tested the progressive discipline of the American soldiery, have taught the enemy that the longer he protracts his hostile efforts the more certain and decisive will be his final discomfiture.

On our southern border victory has continued also to follow the American standard. The bold and skillful operations of Major-General Jackson, conducting troops drawn from the militia of the States least distant, particularly of Tennessee, have subdued the principal tribes of hostile savages, and, by establishing a peace with them, preceded by recent and exemplary chastisement, has best guarded against the mischief of their cooperation with the British enterprises which may be planned against that quarter of our country. Important tribes of Indians on our northwestern frontier have also acceded to stipulations which bind them to the interests of the United States and to consider our enemy as theirs also.

In the recent attempt of the enemy on the city of Baltimore, defended by militia and volunteers, aided by a small body of regulars and seamen, he was received with a spirit which produced a rapid retreat to his ships, whilst a concurrent attack by a large fleet was successfully resisted by the steady and well-directed fire of the fort and batteries opposed to it.

In another recent attack by a powerful force on our troops at Plattsburg, of which regulars made a part only, the enemy, after a perseverance for many hours, was finally compelled to seek safety in a hasty retreat, with our gallant bands pressing upon him.

On the Lakes, so much contested throughout the war, the great exertions for the command made on our part have been well repaid. On Lake Ontario our squadron is now and has been for some time in a condition to confine that of the enemy to his own port, and to favor the operations of our land forces on that frontier.

A part of the squadron on Lake Erie has been extended into Lake Huron, and has produced the advantage of displaying our command on that lake also. One object of the expedition was the reduction of Mackinaw, which failed with the loss of a few brave men, among whom was an officer justly distinguished for his gallant exploits. The expedition, ably conducted by both the land and the naval commanders, was otherwise highly valuable in its effects.

On Lake Champlain, where our superiority had for some time been undisputed, the British squadron lately came into action with the American, commanded by Captain Macdonough. It issued in the capture of the whole of the enemy's ships. The best praise for this officer and his intrepid comrades is in the likeness of his triumph to the illustrious victory which immortalized another officer and established at a critical moment our command of another lake.

On the ocean the pride of our naval arms had been amply supported. A second frigate has indeed fallen into the hands ot the enemy, but the loss is hidden in the blaze of heroism with which she was defended. Captain Porter, who commanded her, and whose previous career had been distinguished by daring enterprise and by fertility of genius, maintained a sanguinary contest against two ships, one of them superior to his own, and under other severe disadvantages, till humanity tore down the colors which valor had nailed to the mast. This officer and his brave comrades have added much to the rising glory of the American flag, and have merited all the effusions of gratitude which their country is ever ready to bestow on the champions of its rights and of its safety.

Two smaller vessels of war have also become prizes to the enemy, but by a superiority of force which sufficiently vindicates the reputation of their commanders, whilst two others, one commanded by Captain Warrington, the other by Captain Blakely, have captured British ships of the same class with a gallantry and good conduct which entitle them and their companions to a just share in the praise of their country.

In spite of the naval force of the enemy accumulated on our coasts, our private cruisers also have not ceased to annoy his commerce and to bring their rich prizes into our ports, contributing thus, with other proofs, to demonstrate the incompetency and illegality of a blockade the proclamation of which is made the pretext for vexing and discouraging the commerce of neutral powers with the United States.

To meet the extended and diversified warfare adopted by the enemy, great bodies of militia have been taken into service for the public defense, and great expenses incurred. That the defense everywhere may be both more convenient and more economical, Congress will see the necessity of immediate measures for filling the ranks of the Regular Army and of enlarging the provision for special corps, mounted and unmounted, to be engaged for longer periods of service than are due from the militia. I earnestly renew, at the same time, a recommendation of such changes in the system of the militia as, by classing and disciplining for the most prompt and active service the portions most capable of it, will give to that great resource for the public safety all the requisite energy and efficiency.

The moneys received into the Treasury during the nine months ending on the 30th day of June last amounted to $32,000,000, of which near eleven millions were the proceeds of the public revenue and the remainder derived from loans. The disbursements for public expenditures during the same period exceeded $34,000,000, and left in the Treasury on the 1st day of July near $5,000,000. The demands during the remainder of the present year already authorized by Congress and the expenses incident to an extension of the operations of the war will render it necessary that large sums should be provided to meet them.

From this view of the national affairs Congress will be urged to take up without delay as well the subject of pecuniary supplies as that of military force, and on a scale commensurate with the extent and the character which the war has assumed. It is not to be disguised that the situation of our country calls for its greatest efforts. Our enemy is powerful in men and in money, on the land and on the water. Availing himself of fortuitous advantages, he is aiming with his undivided force a deadly blow at our growing prosperity, perhaps at our national existence. He has avowed his purpose of trampling on the usages of civilized warfare, and given earnests of it in the plunder and wanton destruction of private property. In his pride of maritime dominion and in his thirst of commercial monopoly he strikes with peculiar animosity at the progress of our navigation and of our manufactures. His barbarous policy has not even spared those monuments of the arts and models of taste with which our country had enriched and embellished its infant metropolis. From such an adversary hostility in its greatest force and in its worst forms may be looked for. The American people will face it with the undaunted spirit which in their revolutionary struggle defeated his unrighteous projects. His threats and his barbarities, instead of dismay, will kindle in every bosom an indignation not to be extinguished but in the disaster and expulsion of such cruel invaders. In providing the means necessary the National Legislature will not distrust the heroic and enlightened patriotism of its constituents. They will cheerfully and proudly bear every burden of every kind which the safety and honor of the nation demand. We have seen them everywhere paying their taxes, direct and indirect, with the greatest promptness and alacrity. We see them rushing with enthusiasm to the scenes where danger and duty call. In offering their blood they give the surest pledge that no other tribute will be withheld.

Having forborne to declare war until to other aggressions had been added the capture of nearly a thousand American vessels and the impressment of thousands of American seafaring citizens, and until a final declaration had been made by the Government of Great Britain that her hostile orders against our commerce would not be revoked but on conditions as impossible as unjust, whilst it was known that these orders would not otherwise cease but with a war which had lasted nearly twenty years, and which, according to appearances at that time, might last as many more; having manifested on every occasion and in every proper mode a sincere desire to arrest the effusion of blood and meet our enemy on the ground of justice and reconciliation, our beloved country, in still opposing to his persevering hostility all its energies, with an undiminished disposition toward peace and friendship on honorable terms, must carry with it the good wishes of the impartial world and the best hopes of support from an omnipotent and kind Providence.

JAMES MADISON.

SPECIAL MESSAGES.

SEPTEMBER 26, 1814.

To the Senate and House of Representatives of the United States:

I transmit to Congress, for their information, copies of a letter from Admiral Cochrane, commanding His Britannic Majesty's naval forces on the American station, to the Secretary of State, with his answer, and of a reply from Admiral Cochrane.

JAMES MADISON.

WASHINGTON, *October 10, 1814.*

To the Senate and House of Representatives of the United States:

I lay before Congress communications just received from the plenipotentiaries of the United States charged with negotiating peace with Great Britain, showing the conditions on which alone that Government is willing to put an end to the war.

The instructions to those plenipotentiaries, disclosing the grounds on which they were authorized to negotiate and conclude a treaty of peace, will be the subject of another communication.

JAMES MADISON.

WASHINGTON, *October 13, 1814.*

To the Senate and House of Representatives of the United States:

I now transmit to Congress copies of the instructions to the plenipotentiaries of the United States charged with negotiating a peace with Great Britain, as referred to in my message of the 10th instant.

JAMES MADISON.

DECEMBER 1, 1814.

To the Senate and House of Representatives of the United States:

I transmit, for the information of Congress, the communications last received from the ministers extraordinary and plenipotentiary of the United States at Ghent, explaining the course and actual state of their negotiations with the plenipotentiaries of Great Britain.

JAMES MADISON.

FEBRUARY 15, 1815.

To the Senate of the United States:

I have received from the American commissioners a treaty of peace and amity between His Britannic Majesty and the United States of America, signed by those commissioners and by the commissioners of His Britannic Majesty at Ghent on the 24th of December, 1814. The termination of hostilities depends upon the time of the ratification of the treaty by both parties. I lose no time, therefore, in submitting the treaty to the Senate for their advice and approbation.

I transmit also a letter from the American commissioners, which accompanied the treaty.

JAMES MADISON.

WASHINGTON, *February 18, 1815.*

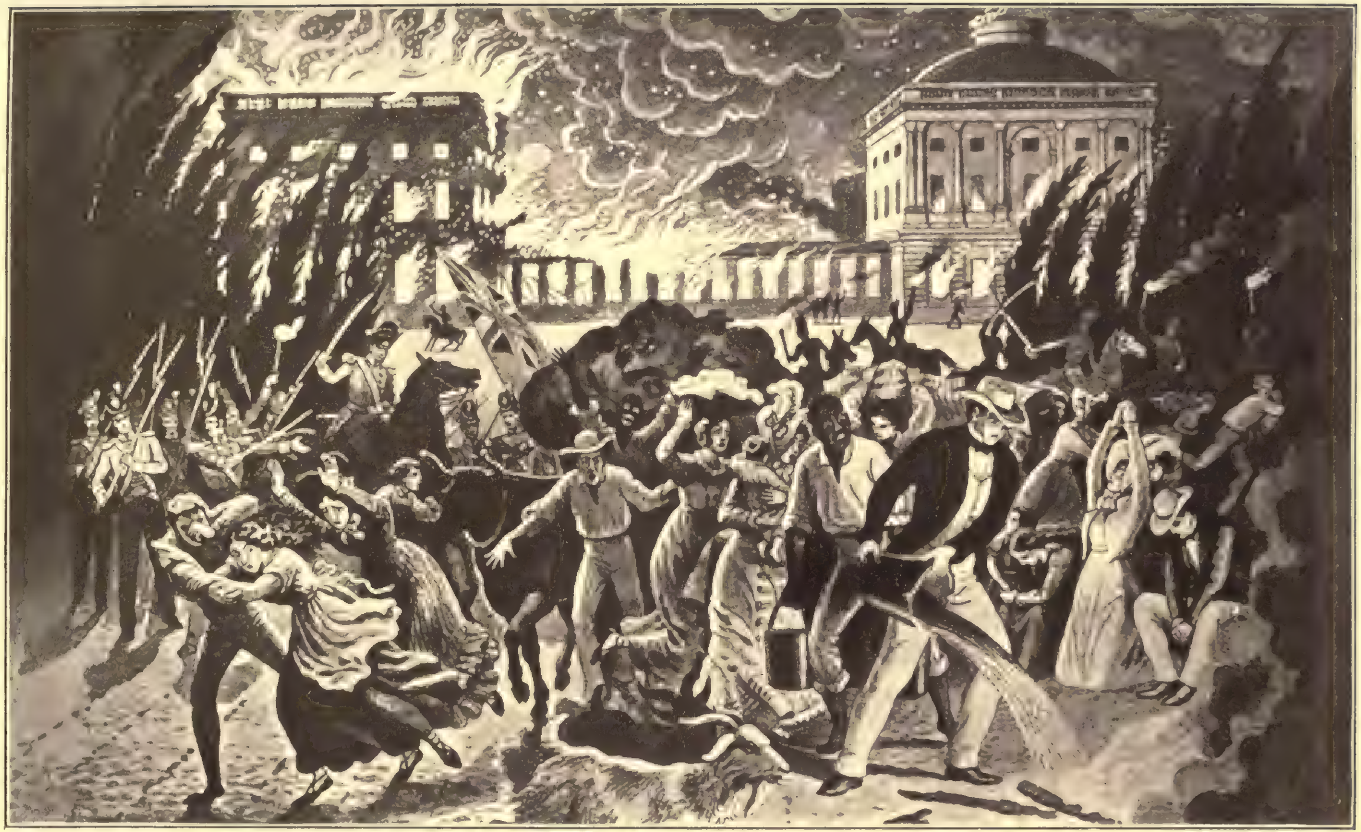
To the Senate and House of Representatives of the United States:

I lay before Congress copies of the treaty of peace and amity between the United States and His Britannic Majesty, which was signed by the commissioners of both parties at Ghent on the 24th of December, 1814, and the ratifications of which have been duly exchanged.

While performing this act I congratulate you and our constituents upon an event which is highly honorable to the nation, and terminates with peculiar felicity a campaign signalized by the most brilliant successes.

The late war, although reluctantly declared by Congress, had become a necessary resort to assert the rights and independence of the nation. It has been waged with a success which is the natural result of the wisdom of the legislative councils, of the patriotism of the people, of the public spirit of the militia, and of the valor of the military and naval forces of the country. Peace, at all times a blessing, is peculiarly welcome, therefore, at a period when the causes for the war have ceased to operate, when the Government has demonstrated the efficiency of its powers of defense, and when the nation can review its conduct without regret and without reproach.

I recommend to your care and beneficence the gallant men whose achievements in every department of the military service, on the land and



THE UNFINISHED CAPITOL BURNED BY BRITISH, 1814

BURNING OF CAPITAL BY BRITISH

August 24, 1814

The British, after the ignominious flight of the American militia from the field at Bladensburg, Md., took the city of Washington, and applied the torch to the public buildings, sparing, however, the Patent Office. They withdrew hastily on the 25th.

The total loss amounted to $2,000,000.

The Encyclopedic Index tells the unpleasant story, under the headings 'Bladensburg, Md., Battle of," and "Washington City, D. C., Capture of."

on the water, have so essentially contributed to the honor of the American name and to the restoration of peace. The feelings of conscious patriotism and worth will animate such men under every change of fortune and pursuit, but their country performs a duty to itself when it bestows those testimonials of approbation and applause which are at once the reward and the incentive to great actions.

The reduction of the public expenditures to the demands of a peace establishment will doubtless engage the immediate attention of Congress. There are, however, important considerations which forbid a sudden and general revocation of the measures that have been produced by the war. Experience has taught us that neither the pacific dispositions of the American people nor the pacific character of their political institutions can altogether exempt them from that strife which appears beyond the ordinary lot of nations to be incident to the actual period of the world, and the same faithful monitor demonstrates that a certain degree of preparation for war is not only indispensable to avert disasters in the onset, but affords also the best security for the continuance of peace. The wisdom of Congress will therefore, I am confident, provide for the maintenance of an adequate regular force; for the gradual advancement of the naval establishment; for improving all the means of harbor defense; for adding discipline to the distinguished bravery of the militia, and for cultivating the military art in its essential branches, under the liberal patronage of Government.

The resources of our country were at all times competent to the attainment of every national object, but they will now be enriched and invigorated by the activity which peace will introduce into all the scenes of domestic enterprise and labor. The provision that has been made for the public creditors during the present session of Congress must have a decisive effect in the establishment of the public credit both at home and abroad. The reviving interests of commerce will claim the legislative attention at the earliest opportunity, and such regulations will, I trust, be seasonably devised as shall secure to the United States their just proportion of the navigation of the world. The most liberal policy toward other nations, if met by corresponding dispositions, will in this respect be found the most beneficial policy toward ourselves. But there is no subject that can enter with greater force and merit into the deliberations of Congress than a consideration of the means to preserve and promote the manufactures which have sprung into existence and attained an unparalleled maturity throughout the United States during the period of the European wars. This source of national independence and wealth I anxiously recommend, therefore, to the prompt and constant guardianship of Congress.

The termination of the legislative sessions will soon separate you, fellow-citizens, from each other, and restore you to your constituents. I pray you to bear with you the expressions of my sanguine hope that the peace which has been just declared will not only be the foundation of the most friendly intercourse between the United States and Great Britain, but that it will also be productive of happiness and harmony in every section of our beloved country. The influence of your precepts and example must be everywhere powerful, and while we accord in grateful acknowledgments for the protection which Providence has bestowed upon us, let us never cease to inculcate obedience to the laws and fidelity to the Union as constituting the palladium of the national independence and prosperity.

JAMES MADISON.

WASHINGTON, *February 22, 1815.*

To the Senate and House of Representatives of the United States:

I lay before Congress copies of two ratified treaties which were entered into on the part of the United States, one on the 22d day of July, 1814, with the several tribes of Indians called the Wyandots, Delawares, Shawanees, Senakas, and Miamies; the other on the 9th day of August, 1814, with the Creek Nation of Indians.

It is referred to the consideration of Congress how far legislative provisions may be necessary for carrying any part of these stipulations into effect.

JAMES MADISON.

WASHINGTON, *February 23, 1815.*

To the Senate and House of Representatives of the United States:

Congress will have seen by the communication from the consul-general of the United States at Algiers laid before them on the 17th of November, 1812, the hostile proceedings of the Dey against that functionary. These have been followed by acts of more overt and direct warfare against the citizens of the United States trading in the Mediterranean, some of whom are still detained in captivity, notwithstanding the attempts which have been made to ransom them, and are treated with the rigor usual on the coast of Barbary.

The considerations which rendered it unnecessary and unimportant to commence hostile operations on the part of the United States being now terminated by the peace with Great Britain, which opens the prospect of an active and valuable trade of their citizens within the range of the Algerine cruisers, I recommend to Congress the expediency of an act declaring the existence of a state of war between the United States and the Dey and Regency of Algiers, and of such provisions as may be requisite for a vigorous prosecution of it to a successful issue.

JAMES MADISON.

WASHINGTON, *February 25, 1815.*

To the Senate and House of Representatives of the United States:

Peace having happily taken place between the United States and Great Britain, it is desirable to guard against incidents which during periods of war in Europe might tend to interrupt it, and it is believed in particular that the navigation of American vessels exclusively by American seamen, either natives or such as are already naturalized, would not only conduce to the attainment of that object, but also to increase the number of our seamen, and consequently to render our commerce and navigation independent of the service of foreigners who might be recalled by their governments under circumstances the most inconvenient to the United States. I recommend the subject, therefore, to the consideration of Congress, and in deciding upon it I am persuaded that they will sufficiently estimate the policy of manifesting to the world a desire on all occasions to cultivate harmony with other nations by any reasonable accommodations which do not impair the enjoyment of any of the essential rights of a free and independent people. The example on the part of the American Government will merit and may be expected to receive a reciprocal attention from all the friendly powers of Europe.

JAMES MADISON.

VETO MESSAGE.

WASHINGTON, *January 30, 1815.*

To the Senate of the United States:

Having bestowed on the bill entitled "An act to incorporate the subscribers to the Bank of the United States of America" that full consideration which is due to the great importance of the subject, and dictated by the respect which I feel for the two Houses of Congress, I am constrained by a deep and solemn conviction that the bill ought not to become a law to return it to the Senate, in which it originated, with my objections to the same.

Waiving the question of the constitutional authority of the Legislature to establish an incorporated bank as being precluded in my judgment by repeated recognitions under varied circumstances of the validity of such an institution in acts of the legislative, executive, and judicial branches of the Government, accompanied by indications, in different modes, of a concurrence of the general will of the nation, the proposed bank does not appear to be calculated to answer the purposes of reviving the public credit, of providing a national medium of circulation, and of aiding the Treasury by facilitating the indispensable anticipations of the revenue and by affording to the public more durable loans.

The capital of the bank is to be compounded of specie, of public stocks, and of Treasury notes convertible into stock, with a certain proportion of each of which every subscriber is to furnish himself.

The amount of the stock to be subscribed will not, it is believed, be sufficient to produce in favor of the public credit any considerable or lasting elevation of the market price, whilst this may be occasionally depressed by the bank itself if it should carry into the market the allowed proportion of its capital consisting of public stock in order to procure specie, which it may find its account in procuring with some sacrifice on that part of its capital.

Nor will any adequate advantage arise to the public credit from the subscription of Treasury notes. The actual issue of these notes nearly equals at present, and will soon exceed, the amount to be subscribed to the bank. The direct effect of this operation is simply to convert fifteen millions of Treasury notes into fifteen millions of 6 per cent stock, with the collateral effect of promoting an additional demand for Treasury notes beyond what might otherwise be negotiable.

Public credit might indeed be expected to derive advantage from the establishment of a national bank, without regard to the formation of its capital, if the full aid and cooperation of the institution were secured to the Government during the war and during the period of its fiscal embarrassments. But the bank proposed will be free from all legal obligation to cooperate with the public measures, and whatever might be the patriotic disposition of its directors to contribute to the removal of those embarrassments, and to invigorate the prosecution of the war, fidelity to the pecuniary and general interest of the institution according to their estimate of it might oblige them to decline a connection of their operations with those of the National Treasury during the continuance of the war and the difficulties incident to it. Temporary sacrifices of interest, though overbalanced by the future and permanent profits of the charter, not being requirable of right in behalf of the public, might not be gratuitously made, and the bank would reap the full benefit of the grant, whilst the public would lose the equivalent expected from it; for it must be kept in view that the sole inducement to such a grant on the part of the public would be the prospect of substantial aids to its pecuniary means at the present crisis and during the sequel of the war. It is evident that the stock of the bank will on the return of peace, if not sooner, rise in the market to a value which, if the bank were established in a period of peace, would authorize and obtain for the public a bonus to a very large amount. In lieu of such a bonus the Government is fairly entitled to and ought not to relinquish or risk the needful services of the bank under the pressing circumstances of war.

2. The bank as proposed to be constituted can not be relied on during the war to provide a circulating medium nor to furnish loans or anticipations of the public revenue.

Without a medium the taxes can not be collected, and in the absence of specie the medium understood to be the best substitute is that of notes issued by a national bank. The proposed bank will commence and conduct its operations under an obligation to pay its notes in specie, or be subject to the loss of its charter. Without such an obligation the notes of the bank, though not exchangeable for specie, yet resting on good pledges and performing the uses of specie in the payment of taxes and in other public transactions, would, as experience has ascertained, qualify the bank to supply at once a circulating medium and pecuniary aids to the Government. Under the fetters imposed by the bill it is manifest that during the actual state of things, and probably during the war, the period particularly requiring such a medium and such a resource for loans and advances to the Government, notes for which the bank would be compellable to give specie in exchange could not be kept in circulation. The most the bank could effect, and the most it could be expected to aim at, would be to keep the institution alive by limited and local transactions which, with the interest on the public stock in the bank, might yield a dividend sufficient for the purpose until a change from war to peace should enable it, by a flow of specie into its vaults and a removal of the external demand for it, to derive its contemplated emoluments from a safe and full extension of its operations.

On the whole, when it is considered that the proposed establishment will enjoy a monopoly of the profits of a national bank for a period of twenty years; that the monopolized profits will be continually growing with the progress of the national population and wealth; that the nation will during the same period be dependent on the notes of the bank for that species of circulating medium whenever the precious metals may be wanted, and at all times for so much thereof as may be an eligible substitute for a specie medium, and that the extensive employment of the notes in the collection of the augmented taxes will, moreover, enable the bank greatly to extend its profitable issues of them without the expense of specie capital to support their circulation, it is as reasonable as it is requisite that the Government, in return for these extraordinary concessions to the bank, should have a greater security for attaining the public objects of the institution than is presented in the bill, and particularly for every practicable accommodation, both in the temporary advances necessary to anticipate the taxes and in those more durable loans which are equally necessary to diminish the resort to taxes.

In discharging this painful duty of stating objections to a measure which has undergone the deliberations and received the sanction of the two Houses of the National Legislature I console myself with the reflection that if they have not the weight which I attach to them they can be constitutionally overruled, and with a confidence that in a contrary event the wisdom of Congress will hasten to substitute a more commensurate and certain provision for the public exigencies.

JAMES MADISON.

PROCLAMATIONS.

BY THE PRESIDENT OF THE UNITED STATES

A PROCLAMATION.

The two Houses of the National Legislature having by a joint resolution expressed their desire that in the present time of public calamity and war a day may be recommended to be observed by the people of the United States as a day of public humiliation and fasting and of prayer to Almighty God for the safety and welfare of these States, His blessing on their arms, and a speedy restoration of peace, I have deemed it proper by this proclamation to recommend that Thursday, the 12th of January next, be set apart as a day on which all may have an opportunity of voluntarily offering at the same time in their respective religious assemblies their humble adoration to the Great Sovereign of the Universe, of confessing their sins and transgressions, and of strengthening their vows of repentance and amendment. They will be invited by the same solemn occasion to call to mind the distinguished favors conferred on the American people in the general health which has been enjoyed, in the abundant fruits of the season, in the progress of the arts instrumental to their comfort, their prosperity, and their security, and in the victories which have so powerfully contributed to the defense and protection of our country, a devout thankfulness for all which ought to be mingled with their supplications to the Beneficent Parent of the Human Race that He would be graciously pleased to pardon all their offenses against Him; to support and animate them in the discharge of their respective duties; to continue to them the precious advantages flowing from political institutions so auspicious to their safety against dangers from abroad, to their tranquillity at home, and to their liberties, civil and religious; and that He would in a special manner preside over the nation in its public councils and constituted authorities, giving wisdom to its measures and success to its arms in maintaining its rights and in overcoming all hostile designs and attempts against it; and, finally, that by inspiring the enemy with dispositions favorable to a just and reasonable peace its blessings may be speedily and happily restored.

Given at the city of Washington, the 16th day of November, 1814, and of the Independence of the United States the thirty-eighth.

[SEAL.] JAMES MADISON.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Among the many evils produced by the wars which with little intermission have afflicted Europe and extended their ravages into other quarters of the globe for a period exceeding twenty years, the dispersion of a considerable portion of the inhabitants of different countries in sorrow and in want has not been the least injurious to human happiness nor the least severe in the trial of human virtue.

It had been long ascertained that many foreigners, flying from the dangers of their own home, and that some citizens, forgetful of their duty, had cooperated in forming an establishment on the island of Barrataria, near the mouth of the river Mississippi, for the purposes of a clandestine and lawless trade. The Government of the United States caused the establishment to be broken up and destroyed, and having obtained the means of designating the offenders of every description, it only remained to answer the demands of justice by inflicting an exemplary punishment.

But it has since been represented that the offenders have manifested a sincere penitence; that they have abandoned the prosecution of the worse cause for the support of the best, and particularly that they have exhibited in the defense of New Orleans unequivocal traits of courage and fidelity. Offenders who have refused to become the associates of the enemy in the war upon the most seducing terms of invitation and who have aided to repel his hostile invasion of the territory of the United States can no longer be considered as objects of punishment, but as objects of a generous forgiveness.

It has therefore been seen with great satisfaction that the general assembly of the State of Louisiana earnestly recommend those offenders to the benefit of a full pardon.

And in compliance with that recommendation, as well as in consideration of all the other extraordinary circumstances of the case, I, James Madison, President of the United States of America, do issue this proclamation, hereby granting, publishing, and declaring a free and full pardon of all offenses committed in violation of any act or acts of the Congress of the said United States touching the revenue, trade, and navigation thereof or touching the intercourse and commerce of the United States with foreign nations at any time before the 8th day of January, in the present year 1815, by any person or persons whomsoever being inhabitants of New Orleans and the adjacent country or being inhabitants of the said island of Barrataria and the places adjacent: *Provided*, That every person claiming the benefit of this full pardon in order to entitle himself thereto shall produce a certificate in writing from the governor of the State of Louisiana stating that such person has aided in the defense of New Orleans and the adjacent country during the invasion thereof as aforesaid.

And I do hereby further authorize and direct all suits, indictments, and prosecutions for fines, penalties, and forfeitures against any person or persons who shall be entitled to the benefit of this full pardon forthwith to be stayed, discontinued, and released; and all civil officers are hereby required, according to the duties of their respective stations, to carry this proclamation into immediate and faithful execution.

Done at the city of Washington, the 6th day of February, in the year 1815, and of the Independence of the United States the thirty-ninth.

[SEAL.]

JAMES MADISON.

By the President:

JAMES MONROE,
Acting as Secretary of State.

[From Niles's Weekly Register, vol. 7, p. 397.]

JAMES MADISON, PRESIDENT OF THE UNITED STATES OF AMERICA.

To all and singular to whom these presents shall come, greeting:

Whereas a treaty of peace and amity between the United States of America and His Britannic Majesty was signed at Ghent on the 24th day of December, 1814, by the plenipotentiaries respectively appointed for that purpose; and the said treaty having been, by and with the advice and consent of the Senate of the United States, duly accepted, ratified, and confirmed on the 17th day of February, 1815, and ratified copies thereof having been exchanged agreeably to the tenor of the said treaty, which is in the words following, to wit:

[Here follows the treaty.]

Now, therefore, to the end that the said treaty of peace and amity may be observed with good faith on the part of the United States, I, James Madison, President as aforesaid, have caused the premises to be made public; and I do hereby enjoin all persons bearing office, civil or military, within the United States and all others citizens or inhabitants thereof or being within the same faithfully to observe and fulfill the said treaty and every clause and article thereof.

In testimony whereof I have caused the seal of the United States to be affixed to these presents, and signed the same with my hand.

Done at the city of Washington, this 18th day of February, A. D. 1815, and of the Sovereignty and Independence of the United States the thirty-ninth.

[SEAL.]

JAMES MADISON.

By the President:

JAMES MONROE,
Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

The Senate and House of Representatives of the United States have by a joint resolution signified their desire that a day may be recommended to be observed by the people of the United States with religious solemnity as a day of thanksgiving and of devout acknowledgments to Almighty God for His great goodness manifested in restoring to them the blessing of peace.

No people ought to feel greater obligations to celebrate the goodness of the Great Disposer of Events and of the Destiny of Nations than the people of the United States. His kind providence originally conducted them to one of the best portions of the dwelling place allotted for the great family of the human race. He protected and cherished them under all the difficulties and trials to which they were exposed in their early days. Under His fostering care their habits, their sentiments, and their pursuits prepared them for a transition in due time to a state of independence and self-government. In the arduous struggle by which it was attained they were distinguished by multiplied tokens of His benign interposition. During the interval which succeeded He reared them into the strength and endowed them with the resources which have enabled them to assert their national rights and to enhance their national character in another arduous conflict, which is now so happily terminated by a peace and reconciliation with those who have been our enemies. And to the same Divine Author of Every Good and Perfect Gift we are indebted for all those privileges and advantages, religious as well as civil, which are so richly enjoyed in this favored land.

It is for blessings such as these, and more especially for the restoration of the blessing of peace, that I now recommend that the second Thursday in April next be set apart as a day on which the people of every religious denomination may in their solemn assemblies unite their hearts and their voices in a freewill offering to their Heavenly Benefactor of their homage of thanksgiving and of their songs of praise.

Given at the city of Washington on the 4th day of March, A. D. 1815, and of the Independence of the United States the thirty-ninth.

[SEAL.]

JAMES MADISON.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas information has been received that sundry persons citizens of the United States or residents within the same, and especially within the State of Louisiana, are conspiring together to begin and set on foot, provide, and prepare the means for a military expedition or enterprise against the dominions of Spain, with which the United States are happily at peace; that for this purpose they are collecting arms, military stores, provisions, vessels, and other means; are deceiving and seducing honest and well-meaning citizens to engage in their unlawful enterprises;

are organizing, officering, and arming themselves for the same contrary to the laws in such cases made and provided:

I have therefore thought fit to issue this my proclamation, warning and enjoining all faithful citizens who have been led without due knowledge or consideration to participate in the said unlawful enterprises to withdraw from the same without delay, and commanding all persons whatsoever engaged or concerned in the same to cease all further proceedings therein, as they will answer the contrary at their peril. And I hereby enjoin and require all officers, civil and military, of the United States or of any of the States or Territories, all judges, justices, and other officers of the peace, all military officers of the Army or Navy of the United States, and officers of the militia, to be vigilant, each within his respective department and according to his functions, in searching out and bringing to punishment all persons engaged or concerned in such enterprises, in seizing and detaining, subject to the disposition of the law, all arms, military stores, vessels, or other means provided or providing for the same, and, in general, in preventing the carrying on such expedition or enterprise by all the lawful means within their power. And I require all good and faithful citizens and others within the United States to be aiding and assisting herein, and especially in the discovery, apprehension, and bringing to justice of all such offenders, in preventing the execution of their unlawful combinations or designs, and in giving information against them to the proper authorities.

In testimony whereof I have caused the seal of the United States of America to be affixed to these presents, and signed the same with my hand.

[SEAL.] Done at the city of Washington, the 1st day of September, A. D. 1815, and of the Independence of the said United States of America the fortieth.

JAMES MADISON.

SEVENTH ANNUAL MESSAGE.

WASHINGTON, *December 5, 1815.*

Fellow-Citizens of the Senate and of the House of Representatives:

I have the satisfaction on our present meeting of being able to communicate to you the successful termination of the war which had been commenced against the United States by the Regency of Algiers. The squadron in advance on that service, under Commodore Decatur, lost not a moment after its arrival in the Mediterranean in seeking the naval force of the enemy then cruising in that sea, and succeeded in capturing two of his ships, one of them the principal ship, commanded by the

Algerine admiral. The high character of the American commander was brilliantly sustained on the occasion which brought his own ship into close action with that of his adversary, as was the accustomed gallantry of all the officers and men actually engaged. Having prepared the way by this demonstration of American skill and prowess, he hastened to the port of Algiers, where peace was promptly yielded to his victorious force. In the terms stipulated the rights and honor of the United States were particularly consulted by a perpetual relinquishment on the part of the Dey of all pretensions to tribute from them. The impressions which have thus been made, strengthened as they will have been by subsequent transactions with the Regencies of Tunis and of Tripoli by the appearance of the larger force which followed under Commodore Bainbridge, the chief in command of the expedition, and by the judicious precautionary arrangements left by him in that quarter, afford a reasonable prospect of future security for the valuable portion of our commerce which passes within reach of the Barbary cruisers.

It is another source of satisfaction that the treaty of peace with Great Britain has been succeeded by a convention on the subject of commerce concluded by the plenipotentiaries of the two countries. In this result a disposition is manifested on the part of that nation corresponding with the disposition of the United States, which it may be hoped will be improved into liberal arrangements on other subjects on which the parties have mutual interests, or which might endanger their future harmony. Congress will decide on the expediency of promoting such a sequel by giving effect to the measure of confining the American navigation to American seamen—a measure which, at the same time that it might have that conciliatory tendency, would have the further advantage of increasing the independence of our navigation and the resources for our maritime defense.

In conformity with the articles in the treaty of Ghent relating to the Indians, as well as with a view to the tranquillity of our western and northwestern frontiers, measures were taken to establish an immediate peace with the several tribes who had been engaged in hostilities against the United States. Such of them as were invited to Detroit acceded readily to a renewal of the former treaties of friendship. Of the other tribes who were invited to a station on the Mississippi the greater number have also accepted the peace offered to them. The residue, consisting of the more distant tribes or parts of tribes, remain to be brought over by further explanations, or by such other means as may be adapted to the dispositions they may finally disclose.

The Indian tribes within and bordering on the southern frontier, whom a cruel war on their part had compelled us to chastise into peace, have latterly shown a restlessness which has called for preparatory measures for repressing it, and for protecting the commissioners engaged in carrying the terms of the peace into execution.

The execution of the act for fixing the military peace establishment has been attended with difficulties which even now can only be overcome by legislative aid. The selection of officers, the payment and discharge of the troops enlisted for the war, the payment of the retained troops and their reunion from detached and distant stations, the collection and security of the public property in the Quartermaster, Commissary, and Ordnance departments, and the constant medical assistance required in hospitals and garrisons rendered a complete execution of the act impracticable on the 1st of May, the period more immediately contemplated. As soon, however, as circumstances would permit, and as far as it has been practicable consistently with the public interests, the reduction of the Army has been accomplished; but the appropriations for its pay and for other branches of the military service having proved inadequate, the earliest attention to that subject will be necessary; and the expediency of continuing upon the peace establishment the staff officers who have hitherto been provisionally retained is also recommended to the consideration of Congress.

In the performance of the Executive duty upon this occasion there has not been wanting a just sensibility to the merits of the American Army during the late war; but the obvious policy and design in fixing an efficient military peace establishment did not afford an opportunity to distinguish the aged and infirm on account of their past services nor the wounded and disabled on account of their present sufferings. The extent of the reduction, indeed, unavoidably involved the exclusion of many meritorious officers of every rank from the service of their country; and so equal as well as so numerous were the claims to attention that a decision by the standard of comparative merit could seldom be attained. Judged, however, in candor by a general standard of positive merit, the Army Register will, it is believed, do honor to the establishment, while the case of those officers whose names are not included in it devolves with the strongest interest upon the legislative authority for such provision as shall be deemed the best calculated to give support and solace to the veteran and the invalid, to display the beneficence as well as the justice of the Government, and to inspire a martial zeal for the public service upon every future emergency.

Although the embarrassments arising from the want of an uniform national currency have not been diminished since the adjournment of Congress, great satisfaction has been derived in contemplating the revival of the public credit and the efficiency of the public resources. The receipts into the Treasury from the various branches of revenue during the nine months ending on the 30th of September last have been estimated at $12,500,000; the issues of Treasury notes of every denomination during the same period amounted to the sum of $14,000,000, and there was also obtained upon loan during the same period a sum of $9,000,000, of which the sum of $6,000,000 was subscribed in cash and the sum of

$3,000,000 in Treasury notes. With these means, added to the sum of $1,500,000, being the balance of money in the Treasury on the 1st day of January, there has been paid between the 1st of January and the 1st of October on account of the appropriations of the preceding and of the present year (exclusively of the amount of the Treasury notes subscribed to the loan and of the amount redeemed in the payment of duties and taxes) the aggregate sum of $33,500,000, leaving a balance then in the Treasury estimated at the sum of $3,000,000. Independent, however, of the arrearages due for military services and supplies, it is presumed that a further sum of $5,000,000, including the interest on the public debt payable on the 1st of January next, will be demanded at the Treasury to complete the expenditures of the present year, and for which the existing ways and means will sufficiently provide.

The national debt, as it was ascertained on the 1st of October last, amounted in the whole to the sum of $120,000,000, consisting of the unredeemed balance of the debt contracted before the late war ($39,000,000), the amount of the funded debt contracted in consequence of the war ($64,000,000), and the amount of the unfunded and floating debt, including the various issues of Treasury notes, $17,000,000, which is in a gradual course of payment. There will probably be some addition to the public debt upon the liquidation of various claims which are depending, and a conciliatory disposition on the part of Congress may lead honorably and advantageously to an equitable arrangement of the militia expenses incurred by the several States without the previous sanction or authority of the Government of the United States; but when it is considered that the new as well as the old portion of the debt has been contracted in the assertion of the national rights and independence, and when it is recollected that the public expenditures, not being exclusively bestowed upon subjects of a transient nature, will long be visible in the number and equipments of the American Navy, in the military works for the defense of our harbors and our frontiers, and in the supplies of our arsenals and magazines the amount will bear a gratifying comparison with the objects which have been attained, as well as with the resources of the country.

The arrangements of the finances with a view to the receipts and expenditures of a permanent peace establishment will necessarily enter into the deliberations of Congress during the present session. It is true that the improved condition of the public revenue will not only afford the means of maintaining the faith of the Government with its creditors inviolate, and of prosecuting successfully the measures of the most liberal policy, but will also justify an immediate alleviation of the burdens imposed by the necessities of the war. It is, however, essential to every modification of the finances that the benefits of an uniform national currency should be restored to the community. The absence of the precious metals will, it is believed, be a temporary evil, but until they can again be rendered the general medium of exchange it devolves on the wisdom of Congress to provide a substitute which shall equally engage the confidence and accommodate the wants of the citizens throughout the Union. If the operation of the State banks can not produce this result, the probable operation of a national bank will merit consideration; and if neither of these expedients be deemed effectual it may become necessary to ascertain the terms upon which the notes of the Government (no longer required as an instrument of credit) shall be issued upon motives of general policy as a common medium of circulation.

Notwithstanding the security for future repose which the United States ought to find in their love of peace and their constant respect for the rights of other nations, the character of the times particularly inculcates the lesson that, whether to prevent or repel danger, we ought not to be unprepared for it. This consideration will sufficiently recommend to Congress a liberal provision for the immediate extension and gradual completion of the works of defense, both fixed and floating, on our maritime frontier, and an adequate provision for guarding our inland frontier against dangers to which certain portions of it may continue to be exposed.

As an improvement in our military establishment, it will deserve the consideration of Congress whether a corps of invalids might not be so organized and employed as at once to aid in the support of meritorious individuals excluded by age or infirmities from the existing establishment, and to procure to the public the benefit of their stationary services and of their exemplary discipline. I recommend also an enlargement of the Military Academy already established, and the establishment of others in other sections of the Union; and I can not press too much on the attention of Congress such a classification and organization of the militia as will most effectually render it the safeguard of a free state. If experience has shewn in the recent splendid achievements of militia the value of this resource for the public defense, it has shewn also the importance of that skill in the use of arms and that familiarity with the essential rules of discipline which can not be expected from the regulations now in force. With this subject is intimately connected the necessity of accommodating the laws in every respect to the great object of enabling the political authority of the Union to employ promptly and effectually the physical power of the Union in the cases designated by the Constitution.

The signal services which have been rendered by our Navy and the capacities it has developed for successful cooperation in the national defense will give to that portion of the public force its full value in the eyes of Congress, at an epoch which calls for the constant vigilance of all governments. To preserve the ships now in a sound state, to complete those already contemplated, to provide amply the imperishable materials for prompt augmentations, and to improve the existing arrangements into more advantageous establishments for the construction, the repairs, and the security of vessels of war is dictated by the soundest policy.

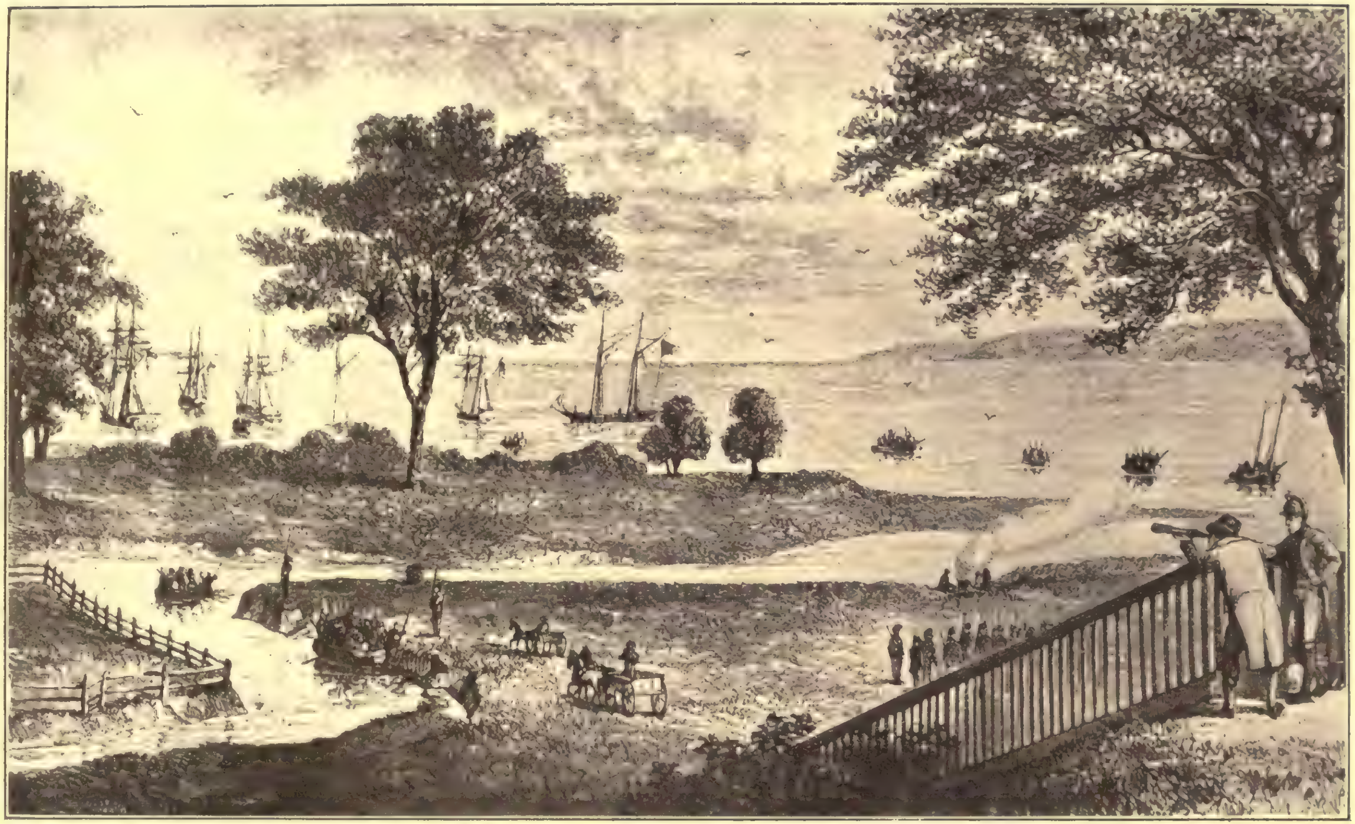
In adjusting the duties on imports to the object of revenue the influence of the tariff on manufactures will necessarily present itself for consideration. However wise the theory may be which leaves to the sagacity and interest of individuals the application of their industry and resources, there are in this as in other cases exceptions to the general rule. Besides the condition which the theory itself implies of a reciprocal adoption by other nations, experience teaches that so many circumstances must concur in introducing and maturing manufacturing establishments, especially of the more complicated kinds, that a country may remain long without them, although sufficiently advanced and in some respects even peculiarly fitted for carrying them on with success. Under circumstances giving a powerful impulse to manufacturing industry it has made among us a progress and exhibited an efficiency which justify the belief that with a protection not more than is due to the enterprising citizens whose interests are now at stake it will become at an early day not only safe against occasional competitions from abroad, but a source of domestic wealth and even of external commerce. In selecting the branches more especially entitled to the public patronage a preference is obviously claimed by such as will relieve the United States from a dependence on foreign supplies, ever subject to casual failures, for articles necessary for the public defense or connected with the primary wants of individuals. It will be an additional recommendation of particular manufactures where the materials for them are extensively drawn from our agriculture, and consequently impart and insure to that great fund of national prosperity and independence an encouragement which can not fail to be rewarded.

Among the means of advancing the public interest the occasion is a proper one for recalling the attention of Congress to the great importance of establishing throughout our country the roads and canals which can best be executed under the national authority. No objects within the circle of political economy so richly repay the expense bestowed on them; there are none the utility of which is more universally ascertained and acknowledged; none that do more honor to the governments whose wise and enlarged patriotism duly appreciates them. Nor is there any country which presents a field where nature invites more the art of man to complete her own work for his accommodation and benefit. These considerations are strengthened, moreover, by the political effect of these facilities for intercommunication in bringing and binding more closely together the various parts of our extended confederacy. Whilst the States individually, with a laudable enterprise and emulation, avail themselves of their local advantages by new roads, by navigable canals, and by improving the streams susceptible of navigation, the General Government is the more urged to similar undertakings, requiring a national jurisdiction and national means, by the prospect of thus systematically completing so inestimable a work; and it is a happy reflection that any defect of constitutional authority which may be encountered can be supplied in a mode which the Constitution itself has providently pointed out.

The present is a favorable season also for bringing again into view the establishment of a national seminary of learning within the District of Columbia, and with means drawn from the property therein, subject to the authority of the General Government. Such an institution claims the patronage of Congress as a monument of their solicitude for the advancement of knowledge, without which the blessings of liberty can not be fully enjoyed or long preserved; as a model instructive in the formation of other seminaries; as a nursery of enlightened preceptors, and as a central resort of youth and genius from every part of their country, diffusing on their return examples of those national feelings, those liberal sentiments, and those congenial manners which contribute cement to our Union and strength to the great political fabric of which that is the foundation.

In closing this communication I ought not to repress a sensibility, in which you will unite, to the happy lot of our country and to the goodness of a superintending Providence, to which we are indebted for it. Whilst other portions of mankind are laboring under the distresses of war or struggling with adversity in other forms, the United States are in the tranquil enjoyment of prosperous and honorable peace. In reviewing the scenes through which it has been attained we can rejoice in the proofs given that our political institutions, founded in human rights and framed for their preservation, are equal to the severest trials of war, as well as adapted to the ordinary periods of repose. As fruits of this experience and of the reputation acquired by the American arms on the land and on the water, the nation finds itself possessed of a growing respect abroad and of a just confidence in itself, which are among the best pledges for its peaceful career. Under other aspects of our country the strongest features of its flourishing condition are seen in a population rapidly increasing on a territory as productive as it is extensive; in a general industry and fertile ingenuity which find their ample rewards, and in an affluent revenue which admits a reduction of the public burdens without withdrawing the means of sustaining the public credit, of gradually discharging the public debt, of providing for the necessary defensive and precautionary establishments, and of patronizing in every authorized mode undertakings conducive to the aggregate wealth and individual comfort of our citizens.

It remains for the guardians of the public welfare to persevere in that justice and good will toward other nations which invite a return of these sentiments toward the United States; to cherish institutions which guarantee their safety and their liberties, civil and religious; and to combine with a liberal system of foreign commerce an improvement of the national



BUFFALO, NEW YORK, 1815

BUFFALO IN 1815.

In 1679 La Salle passed the site of the present city of Buffalo in his sloop, the *Griffin*—the first sailing vessel on Lake Erie—and reported no habitations whatever around the spot where the lake narrows into the Niagara River. In 1764 Colonel Bradstreet built Fort Erie across the Niagara River. In 1780, the Seneca Indians settled inland along the creek which they called "Buffalo Creek," possibly from the fact that buffalo made use of the salt licks to the east. In 1789 came the first English settlers, who called their settlement by the name which the Indians had applied to the creek. In 1810 the town of Buffalo was incorporated, only to be captured and burned in the War of 1812; and the preceding illustration shows the city after it had been rebuilt in 1815.

advantages and a protection and extension of the independent resources of our highly favored and happy country.

In all measures having such objects my faithful cooperation will be afforded.

JAMES MADISON.

SPECIAL MESSAGES.

WASHINGTON, *December 6, 1815.*

To the Senate of the United States:

I lay before the Senate, for their consideration and advice as to a ratification, a treaty of peace with the Dey of Algiers concluded on the 30th day of June, 1815, with a letter relating to the same from the American commissioners to the Secretary of State.

JAMES MADISON.

DECEMBER 6, 1815.

To the Senate of the United States:

I lay before the Senate, for their consideration and advice as to a ratification, a convention to regulate the commerce between the United States and Great Britain, signed by their respective plenipotentiaries on the 3d of July last, with letters relating to the same from the American plenipotentiaries to the Secretary of State, and also the declaration with which it is the intention of the British Government to accompany the exchange of the ratification of the convention.

JAMES MADISON.

WASHINGTON, *December 6, 1815.*

To the Senate of the United States:

I lay before the Senate, for their consideration and advice as to a ratification, treaties which have been concluded with the following Indian tribes, viz: Iaway tribe, Kickapoo tribe, Poutawatamie, Siouxs of the Lakes, Piankeshaw tribe, Siouxs of the River St. Peters, Great and Little Osage tribes, Yancton tribe, Mahas, Fox tribe, Teeton, Sac Nation, Kanzas tribe, Chippewa, Ottawa, Potawatamie, Shawanoe, Wyandot, Miami, Delaware, and Seneca.

I communicate also the letters from the commissioners on the part of the United States relating to their proceedings on those occasions.

JAMES MADISON.

WASHINGTON, *December 11, 1815.*

To the Senate of the United States:

I transmit the original of the convention between the United States and Great Britain, as signed by their respective plenipotentiaries, on the

3d day of July last, a copy of which was laid before the Senate on the 5th instant.

I transmit also a copy of the late treaty of peace with Algiers, as certified by one of the commissioners of the United States, an office copy of which was laid before the Senate on the 5th instant, the original of the treaty not having been received.

JAMES MADISON.

DECEMBER 23, 1815.

To the Senate and House of Representatives of the United States:

I lay before Congress copies of a proclamation notifying the convention concluded with Great Britain on the 3d day of July last, and that the same has been duly ratified; and I recommend to Congress such legislative provisions as the convention may call for on the part of the United States.

JAMES MADISON.

JANUARY 18, 1816.

To the Senate and House of Representatives of the United States:

The accompanying extract from the occurrences at Fort Jackson in August, 1814, during the negotiation of a treaty with the Indians shows that the friendly Creeks, wishing to give to General Jackson, Benjamin Hawkins, and others a national mark of their gratitude and regard, conveyed to them, respectively, a donation of land, with a request that the grant might be duly confirmed by the Government of the United States.

Taking into consideration the peculiar circumstances of the case, the expediency of indulging the Indians in wishes which they associated with the treaty signed by them, and that the case involves an inviting opportunity for bestowing on an officer who has rendered such illustrious services to his country a token of its sensibility to them, the inducement to which can not be diminished by the delicacy and disinterestedness of his proposal to transfer the benefit from himself, I recommend to Congress that provision be made for carrying into effect the wishes and request of the Indians as expressed by them.

JAMES MADISON.

FEBRUARY 6, 1816.

To the Senate and House of Representatives of the United States:

It is represented that the lands in the Michigan Territory designated by law toward satisfying land bounties promised the soldiers of the late army are so covered with swamps and lakes, or otherwise unfit for cultivation, that a very inconsiderable proportion can be applied to the intended grants. I recommend, therefore, that other lands be designated by Congress for the purpose of supplying the deficiency.

JAMES MADISON.

MARCH 5, 1816.

To the Senate of the United States:

In compliance with the resolution of the Senate of the 2d instant, they are informed that great losses having been sustained by citizens of the United States from unjust seizures and confiscations of their property by the late Government of Naples, it was deemed expedient that indemnification should be claimed by a special mission for that purpose. The occasion may be proper, also, for securing the use and accommodations of the Neapolitan ports, which may at any time be needed by the public ships of the United States, and for obtaining relief for the American commerce from the disadvantageous and unequal regulations now operating against it in that Kingdom.

JAMES MADISON.

MARCH 9, 1816.

To the Senate and House of Representatives of the United States:

I lay before Congress a statement of the militia of the United States according to the latest returns received by the Department of War.

JAMES MADISON.

APRIL 11, 1816.

To the Senate and House of Representatives of the United States:

With a view to the more convenient arrangement of the important and growing business connected with the grant of exclusive rights to inventors and authors, I recommend the establishment of a distinct office within the Department of State to be charged therewith, under a director with a salary adequate to his services, and with the privilege of franking communications by mail from and to the office. I recommend also that further restraints be imposed on the issue of patents to wrongful claimants, and further guards provided against fraudulent exactions of fees by persons possessed of patents.

JAMES MADISON.

APRIL 16, 1816.

To the Senate and House of Representatives of the United States:

I lay before Congress copies of a convention concluded between the United States and the Cherokee Indians on the 2d day of March last, as the same has been duly ratified and proclaimed; and I recommend that such provision be made by Congress as the stipulations therein contained may require.

JAMES MADISON.

APRIL 17, 1816.

To the Senate of the United States:

It being presumed that further information may have changed the views of the Senate relative to the importance and expediency of a mission to Naples for the purpose of negotiating indemnities to our citizens for spoliations committed by the Neapolitan Government, I nominate William Pinkney, envoy extraordinary and minister plenipotentiary to Russia, to be minister plenipotentiary to Naples, specially charged with that trust.

JAMES MADISON.

PROCLAMATIONS.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it has been represented that many uninformed or evil-disposed persons have taken possession of or made a settlement on the public lands of the United States which have not been previously sold, ceded, or leased by the United States, or the claim to which lands by such persons has not been previously recognized or confirmed by the United States, which possession or settlement is by the act of Congress passed on the 3d day of March, 1807, expressly prohibited; and

Whereas the due execution of the said act of Congress, as well as the general interest, requires that such illegal practices should be promptly repressed:

Now, therefore, I, James Madison, President of the United States, have thought proper to issue my proclamation commanding and strictly enjoining all persons who have unlawfully taken possession of or made any settlement on the public lands as aforesaid forthwith to remove therefrom; and I do hereby further command and enjoin the marshal, or officer acting as marshal, in any State or Territory where such possession shall have been taken or settlement made to remove, from and after the 10th day of March, 1816, all or any of the said unlawful occupants; and to effect the said service I do hereby authorize the employment of such military force as may become necessary in pursuance of the provisions of the act of Congress aforesaid, warning the offenders, moreover, that they will be prosecuted in all such other ways as the law directs.

In testimony whereof I have caused the seal of the United States of America to be affixed to these presents, and signed the same with my hand.

[SEAL.] Done at the city of Washington, the 12th day of December, A. D. 1815, and of the Independence of the said United States of America the fortieth.

JAMES MADISON.

By the President:

JAMES MONROE,

Secretary of State.

[From Niles's Weekly Register, vol. 10, p. 208.]

BY THE PRESIDENT OF THE UNITED STATES.[1]

A PROCLAMATION.

Whereas by the act entitled "An act granting bounties in land and extra pay to certain Canadian volunteers," passed the 5th March, 1816, it was enacted that the locations of the land warrants of the said volunteers should "be subject to such regulations as to priority of choice and manner of location as the President of the United States shall direct:"

Wherefore I, James Madison, President of the United States, in conformity with the provisions of the act before recited, do hereby make known that the land warrants of the said Canadian volunteers may be located agreeably to the said act at the land offices at Vincennes or Jeffersonville, in the Indiana Territory, on the first Monday in June next, with the registers of the said land offices; that the warrantees may, in person or by their attorneys or other legal representatives, in the presence of the register and receiver of the said land district, draw lots for the priority of location; and that should any of the warrants not appear for location on that day they may be located afterwards, according to their priority of presentation, the locations in the district of Vincennes to be made at Vincennes and the locations in the district of Jeffersonville to be made at Jeffersonville.

Given under my hand the 1st day of May, 1816.

JAMES MADISON.

By the President:

JOSIAH MEIGS,

Commissioner of the General Land Office.

EIGHTH ANNUAL MESSAGE.

DECEMBER 3, 1816.

Fellow-Citizens of the Senate and of the House of Representatives:

In reviewing the present state of our country, our attention can not be withheld from the effect produced by peculiar seasons which have very generally impaired the annual gifts of the earth and threatened scarcity in particular districts. Such, however, is the variety of soils, of climates, and of products within our extensive limits that the aggregate resources for subsistence are more than sufficient for the aggregate wants. And as far as an economy of consumption, more than usual, may be necessary, our thankfulness is due to Providence for what is far more than a compensation, in the remarkable health which has distinguished the present year.

Amidst the advantages which have succeeded the peace of Europe, and that of the United States with Great Britain, in a general invigoration of industry among us and in the extension of our commerce, the value of which is more and more disclosing itself to commercial nations, it is to be regretted that a depression is experienced by particular branches of our manufactures and by a portion of our navigation. As the first proceeds in an essential degree from an excess of imported merchandise, which carries a check in its own tendency, the cause in its present extent can not be of very long duration. The evil will not, however, be viewed by Congress without a recollection that manufacturing establishments, if suffered to sink too low or languish too long, may not revive after the causes shall have ceased, and that in the vicissitudes of human affairs situations may recur in which a dependence on foreign sources for indispensable supplies may be among the most serious embarrassments.

The depressed state of our navigation is to be ascribed in a material degree to its exclusion from the colonial ports of the nation most extensively connected with us in commerce, and from the indirect operation of that exclusion.

Previous to the late convention at London between the United States and Great Britain the relative state of the navigation laws of the two countries, growing out of the treaty of 1794, had given to the British navigation a material advantage over the American in the intercourse between the American ports and British ports in Europe. The convention of London equalized the laws of the two countries relating to those ports, leaving the intercourse between our ports and the ports of the British colonies subject, as before, to the respective regulations of the parties. The British Government enforcing now regulations which prohibit a trade between its colonies and the United States in American vessels, whilst they permit a trade in British vessels, the American navigation loses accordingly, and the loss is augmented by the advantage which is given to the British competition over the American in the navigation between our ports and British ports in Europe by the circuitous voyages enjoyed by the one and not enjoyed by the other.

The reasonableness of the rule of reciprocity applied to one branch of the commercial intercourse has been pressed on our part as equally applicable to both branches; but it is ascertained that the British cabinet declines all negotiation on the subject, with a disavowal, however, of any disposition to view in an unfriendly light whatever countervailing regulations the United States may oppose to the regulations of which they complain. The wisdom of the Legislature will decide on the course which, under these circumstances, is prescribed by a joint regard to the amicable relations between the two nations and to the just interests of the United States.

I have the satisfaction to state, generally, that we remain in amity with foreign powers.

An occurrence has indeed taken place in the Gulf of Mexico which, if sanctioned by the Spanish Government, may make an exception as to that power. According to the report of our naval commander on that station, one of our public armed vessels was attacked by an overpowering force under a Spanish commander, and the American flag, with the officers and crew, insulted in a manner calling for prompt reparation. This has been demanded. In the meantime a frigate and a smaller vessel of war have been ordered into that Gulf for the protection of our commerce. It would be improper to omit that the representative of His Catholic Majesty in the United States lost no time in giving the strongest assurances that no hostile order could have emanated from his Government, and that it will be as ready to do as to expect whatever the nature of the case and the friendly relations of the two countries shall be found to require.

The posture of our affairs with Algiers at the present moment is not known. The Dey, drawing pretexts from circumstances for which the United States were not answerable, addressed a letter to this Government declaring the treaty last concluded with him to have been annulled by our violation of it, and presenting as the alternative war or a renewal of the former treaty, which stipulated, among other things, an annual tribute. The answer, with an explicit declaration that the United States preferred war to tribute, required his recognition and observance of the treaty last made, which abolishes tribute and the slavery of our captured citizens. The result of the answer has not been received. Should he renew his warfare on our commerce, we rely on the protection it will find in our naval force actually in the Mediterranean.

With the other Barbary States our affairs have undergone no change.

The Indian tribes within our limits appear also disposed to remain at peace. From several of them purchases of lands have been made particularly favorable to the wishes and security of our frontier settlements, as well as to the general interests of the nation. In some instances the titles, though not supported by due proof, and clashing those of one tribe with the claims of another, have been extinguished by double purchases, the benevolent policy of the United States preferring the augmented expense to the hazard of doing injustice or to the enforcement of justice against a feeble and untutored people by means involving or threatening an effusion of blood. I am happy to add that the tranquillity which has been restored among the tribes themselves, as well as between them and our own population, will favor the resumption of the work of civilization which had made an encouraging progress among some tribes, and that the facility is increasing for extending that divided and individual ownership, which exists now in movable property only, to the soil itself, and of thus establishing in the culture and improvement of it the true foundation for a transit from the habits of the savage to the arts and comforts of social life.

As a subject of the highest importance to the national welfare, I must again earnestly recommend to the consideration of Congress a reorganization of the militia on a plan which will form it into classes according to the periods of life more or less adapted to military services. An efficient militia is authorized and contemplated by the Constitution and required by the spirit and safety of free government. The present organization of our militia is universally regarded as less efficient than it ought to be made, and no organization can be better calculated to give to it its due force than a classification which will assign the foremost place in the defense of the country to that portion of its citizens whose activity and animation best enable them to rally to its standard. Besides the consideration that a time of peace is the time when the change can be made with most convenience and equity, it will now be aided by the experience of a recent war in which the militia bore so interesting a part.

Congress will call to mind that no adequate provision has yet been made for the uniformity of weights and measures also contemplated by the Constitution. The great utility of a standard fixed in its nature and founded on the easy rule of decimal proportions is sufficiently obvious. It led the Government at an early stage to preparatory steps for introducing it, and a completion of the work will be a just title to the public gratitude.

The importance which I have attached to the establishment of a university within this District on a scale and for objects worthy of the American nation induces me to renew my recommendation of it to the favorable consideration of Congress. And I particularly invite again their attention to the expediency of exercising their existing powers, and, where necessary, of resorting to the prescribed mode of enlarging them, in order to effectuate a comprehensive system of roads and canals, such as will have the effect of drawing more closely together every part of our country by promoting intercourse and improvements and by increasing the share of every part in the common stock of national prosperity.

Occurrences having taken place which shew that the statutory provisions for the dispensation of criminal justice are deficient in relation both to places and to persons under the exclusive cognizance of the national authority, an amendment of the law embracing such cases will merit the earliest attention of the Legislature. It will be a seasonable occasion also for inquiring how far legislative interposition may be further requisite in providing penalties for offenses designated in the Constitution or in the statutes, and to which either no penalties are annexed or none with sufficient certainty. And I submit to the wisdom of Congress whether a more enlarged revisal of the criminal code be not expedient for the purpose of mitigating in certain cases penalties which were adopted into it antecedent to experiment and examples which justify and recommend a more lenient policy.

The United States, having been the first to abolish within the extent of their authority the transportation of the natives of Africa into slavery, by prohibiting the introduction of slaves and by punishing their citizens participating in the traffic, can not but be gratified at the progress made by concurrent efforts of other nations toward a general suppression of so great an evil. They must feel at the same time the greater solicitude to give the fullest efficacy to their own regulations. With that view, the interposition of Congress appears to be required by the violations and evasions which it is suggested are chargeable on unworthy citizens who mingle in the slave trade under foreign flags and with foreign ports, and by collusive importations of slaves into the United States through adjoining ports and territories. I present the subject to Congress with a full assurance of their disposition to apply all the remedy which can be afforded by an amendment of the law. The regulations which were intended to guard against abuses of a kindred character in the trade between the several States ought also to be rendered more effectual for their humane object.

To these recommendations I add, for the consideration of Congress, the expediency of a remodification of the judiciary establishment, and of an additional department in the executive branch of the Government.

The first is called for by the accruing business which necessarily swells the duties of the Federal courts, and by the great and widening space within which justice is to be dispensed by them. The time seems to have arrived which claims for members of the Supreme Court a relief from itinerary fatigues, incompatible as well with the age which a portion of them will always have attained as with the researches and preparations which are due to their stations and to the juridical reputation of their country. And considerations equally cogent require a more convenient organization of the subordinate tribunals, which may be accomplished without an objectionable increase of the number or expense of the judges.

The extent and variety of executive business also accumulating with the progress of our country and its growing population call for an additional department, to be charged with duties now overburdening other departments and with such as have not been annexed to any department.

The course of experience recommends, as another improvement in the executive establishment, that the provision for the station of Attorney-General, whose residence at the seat of Government, official connections with it, and the management of the public business before the judiciary preclude an extensive participation in professional emoluments, be made more adequate to his services and his relinquishments, and that, with a view to his reasonable accommodation and to a proper depository of his official opinions and proceedings, there be included in the provision the usual appurtenances to a public office.

In directing the legislative attention to the state of the finances it is a subject of great gratification to find that even within the short period which has elapsed since the return of peace the revenue has far exceeded all the current demands upon the Treasury, and that under any probable diminution of its future annual products which the vicissitudes of commerce may occasion it will afford an ample fund for the effectual and early extinguishment of the public debt. It has been estimated that during the year 1816 the actual receipts of revenue at the Treasury, including the balance at the commencement of the year, and excluding the proceeds of loans and Treasury notes, will amount to about the sum of $47,000,000; that during the same year the actual payments at the Treasury, including the payment of the arrearages of the War Department as well as the payment of a considerable excess beyond the annual appropriations, will amount to about the sum of $38,000,000, and that consequently at the close of the year there will be a surplus in the Treasury of about the sum of $9,000,000.

The operations of the Treasury continued to be obstructed by difficulties arising from the condition of the national currency, but they have nevertheless been effectual to a beneficial extent in the reduction of the public debt and the establishment of the public credit. The floating debt of Treasury notes and temporary loans will soon be entirely discharged. The aggregate of the funded debt, composed of debts incurred during the wars of 1776 and 1812, has been estimated with reference to the 1st of January next at a sum not exceeding $110,000,000. The ordinary annual expenses of the Government for the maintenance of all its institutions, civil, military, and naval, have been estimated at a sum less than $20,000,000, and the permanent revenue to be derived from all the existing sources has been estimated at a sum of about $25,000,000.

Upon this general view of the subject it is obvious that there is only wanting to the fiscal prosperity of the Government the restoration of an uniform medium of exchange. The resources and the faith of the nation, displayed in the system which Congress has established, insure respect and confidence both at home and abroad. The local accumulations of the revenue have already enabled the Treasury to meet the public engagements in the local currency of most of the States, and it is expected that the same cause will produce the same effect throughout the Union; but for the interests of the community at large, as well as for the purposes of the Treasury, it is essential that the nation should possess a currency of equal value, credit, and use wherever it may circulate. The Constitution has intrusted Congress exclusively with the power of creating and regulating a currency of that description, and the measures which were taken during the last session in execution of the power give every promise of success. The Bank of the United States has been organized under auspices the most favorable, and can not fail to be an important auxiliary to those measures.

For a more enlarged view of the public finances, with a view of the measures pursued by the Treasury Department previous to the resignation of the late Secretary, I transmit an extract from the last report of that officer. Congress will perceive in it ample proofs of the solid foundation on which the financial prosperity of the nation rests, and will do justice to the distinguished ability and successful exertions with which the duties of the Department were executed during a period remarkable for its difficulties and its peculiar perplexities.

The period of my retiring from the public service being at little distance, I shall find no occasion more proper than the present for expressing to my fellow-citizens my deep sense of the continued confidence and kind support which I have received from them. My grateful recollection of these distinguished marks of their favorable regard can never cease, and with the consciousness that, if I have not served my country with greater ability, I have served it with a sincere devotion will accompany me as a source of unfailing gratification.

Happily, I shall carry with me from the public theater other sources, which those who love their country most will best appreciate. I shall behold it blessed with tranquillity and prosperity at home and with peace and respect abroad. I can indulge the proud reflection that the American people have reached in safety and success their fortieth year as an independent nation; that for nearly an entire generation they have had experience of their present Constitution, the offspring of their undisturbed deliberations and of their free choice; that they have found it to bear the trials of adverse as well as prosperous circumstances; to contain in its combination of the federate and elective principles a reconcilement of public strength with individual liberty, of national power for the defense of national rights with a security against wars of injustice, of ambition, and of vainglory in the fundamental provision which subjects all questions of war to the will of the nation itself, which is to pay its costs and feel its calamities. Nor is it less a peculiar felicity of this Constitution, so dear to us all, that it is found to be capable, without losing its vital energies, of expanding itself over a spacious territory with the increase and expansion of the community for whose benefit it was established.

And may I not be allowed to add to this gratifying spectacle that I shall read in the character of the American people, in their devotion to true liberty and to the Constitution which is its palladium, sure presages that the destined career of my country will exhibit a Government pursuing the public good as its sole object, and regulating its means by the great principles consecrated in its charter and by those moral principles to which they are so well allied; a Government which watches over the purity of elections, the freedom of speech and of the press, the trial by jury, and the equal interdict against encroachments and compacts between religion and the state; which maintains inviolably the maxims of public faith, the security of persons and property, and encourages in every authorized mode that general diffusion of knowledge which guarantees to public liberty its permanency and to those who possess the blessing the true enjoyment of it; a Government which avoids intrusions on the internal repose of other nations, and repels them from its own; which does justice to all nations with a readiness equal to the firmness with which it requires justice from them; and which, whilst it refines its domestic code from every ingredient not congenial with the precepts of an enlightened age and the sentiments of a virtuous people, seeks by appeals to reason and by its liberal examples to infuse into the law which governs the civilized world a spirit which may diminish the frequency or circumscribe the calamities of war, and meliorate the social and beneficent relations of peace; a Government, in a word, whose conduct within and without may bespeak the most noble of all ambitions—that of promoting peace on earth and good will to man.

These contemplations, sweetening the remnant of my days, will animate my prayers for the happiness of my beloved country, and a perpetuity of the institutions under which it is enjoyed.

JAMES MADISON.

SPECIAL MESSAGES.

DECEMBER 6, 1816.

To the Senate and House of Representatives of the United States:

The ninth section of the act passed at the last session of Congress "to authorize the payment for property lost, captured, or destroyed by the enemy while in the military service of the United States, and for other purposes," having received a construction giving to it a scope of great and uncertain extent, I thought it proper that proceedings relative to claims under that part of the act should be suspended until Congress should have an opportunity of defining more precisely the cases contemplated by them. With that view I now recommend the subject to their consideration. They will have an opportunity at the same time of considering how far other provisions of the act may be rendered more clear and precise in their import.

JAMES MADISON.

DECEMBER 10, 1816.

To the Senate of the United States:

I lay before the Senate, for their consideration and advice as to a ratification, treaties concluded with the several Indian tribes according to the following statement:

A LIST OF INDIAN TRIBES WITH WHOM TREATIES HAVE BEEN MADE SINCE THE LAST SESSION OF CONGRESS.

Weas and Kickapoos tribes of Indians.—Treaty concluded at Fort Harrison between Benjamin Parke and the chiefs and headmen of those tribes the 4th June, 1816.

Ottawas, Chippewas, and Pottowotomees.—Treaty concluded at St. Louis between Governors Clarke, Edwards, and Colonel Choteau and the chiefs and headmen of those tribes on the 24th August, 1816.

Winnebago tribes.—Made by the same persons on part United States and the headmen of this tribe at St. Louis 3d June, 1816.

Sacks of Rock River.—Made by same at St. Louis 13th May, 1816.

Siouxs composing three tribes, the Siouxs of the Leaf, the Siouxs of the Broad Leaf, and the Siouxs who Shoot on the Pine-tops.—Made and concluded by the same at St. Louis 1st June, 1816.

Chickasaw tribe.—Treaty made by General Jackson, David Merrewether, esq., and Jesse Franklin, esq., and the headmen of that nation at Chickasaw council house 20th September, 1816.

Cherokee tribe.—Treaty made by General Jackson, David Merrewether, esq., and Jesse Franklin, esq., and the headmen of that nation at Turkey Town on the 4th October, 1816.

Choctaw tribe.—Treaty made by General John Coffee, John Rhea, and John McKee, esquires, and the headmen and warriors of that nation at the Choctaw trading house on the 24th of October, 1816.

JAMES MADISON.

DECEMBER 13, 1816.

To the Senate of the United States:

A treaty of commerce between the United States and the King of Sweden and Norway having been concluded and signed on the 4th day of September last by their plenipotentiaries, I lay the same before the Senate for their consideration and advice as to a ratification.

JAMES MADISON.

DECEMBER 21, 1816.

To the House of Representatives of the United States:

In compliance with the resolution of the House of Representatives of the 6th instant, I transmit to them the proceedings of the commissioner appointed under the act "to authorize the payment for property lost, captured, or destroyed by the enemy while in the military service of the United States, and for other purposes," as reported by the commissioner to the Department of War.

JAMES MADISON.

DECEMBER 26, 1816.

To the Senate and House of Representatives of the United States:

It is found that the existing laws have not the efficacy necessary to prevent violations of the obligations of the United States as a nation at peace toward belligerent parties and other unlawful acts on the high seas by armed vessels equipped within the waters of the United States.

With a view to maintain more effectually the respect due to the laws, to the character, and to the neutral and pacific relations of the United States, I recommend to the consideration of Congress the expediency of such further legislative provisions as may be requisite for detaining vessels actually equipped, or in a course of equipment, with a warlike force within the jurisdiction of the United States, or, as the case may be, for obtaining from the owners or commanders of such vessels adequate securities against the abuse of their armaments, with the exceptions in such provisions proper for the cases of merchant vessels furnished with the defensive armaments usual on distant and dangerous expeditions, and of a private commerce in military stores permitted by our laws, and which the law of nations does not require the United States to prohibit.

JAMES MADISON.

JANUARY 25, 1817.

To the Senate and House of Representatives of the United States:

I lay before Congress copies of ratified treaties between the United States and the following Indian tribes:

First. The Wea and Kickapoo.

Second. The united tribes of Ottawas, Chippawas, and Potowotomies residing on the Illinois and Melwakee rivers and their waters and on the southwestern parts of Lake Michigan.

Third. That portion of the Winnebago tribe or nation residing on the Ouisconsin River.

Fourth. The Sacs of Rock River and the adjacent country.

Fifth. Eight bands of the Siouxs, composing the three tribes called the Siouxs of the Leaf, the Siouxs of the Broad Leaf, and the Siouxs who Shoot in the Pine Tops.

Sixth. The Chickasaw tribe of Indians.

Seventh. The Cherokee tribe of Indians.

Eighth. The Chactaw tribe of Indians.

Congress will take into consideration how far legislative provisions may be necessary for carrying into effect stipulations contained in the said treaties.

JAMES MADISON.

JANUARY 31, 1817.

To the Senate and House of Representatives of the United States:

The envoy extraordinary and minister plenipotentiary of His Most Christian Majesty having renewed, under special instructions from his Government, the claim of the representative of Baron de Beaumarchais for 1,000,000 livres, which were debited to him in the settlement of his accounts with the United States, I lay before Congress copies of the memoir on that subject addressed by the said envoy to the Secretary of State.

Considering that the sum of which the million of livres in question made a part was a gratuitous grant from the French Government to the United States, and the declaration of that Government that that part of the grant was put into the hands of M. de Beaumarchais as its agent, not as the agent of the United States, and was duly accounted for by him to the French Government; considering also the concurring opinions of two Attorneys-General of the United States that the said debit was not legally sustainable in behalf of the United States, I recommend the case to the favorable attention of the Legislature, whose authority alone can finally decide on it.

JAMES MADISON.

FEBRUARY 3, 1817.

To the Senate and House of Representatives of the United States:

The Government of Great Britain, induced by the posture of the relations with the United States which succeeded the conclusion of the recent commercial convention, issued an order on the 17th day of August, 1815, discontinuing the discriminating duties payable in British ports on American vessels and their cargoes. It was not until the 22d of December following that a corresponding discontinuance of discriminating duties on British vessels and their cargoes in American ports took effect under the authority vested in the Executive by the act of March, 1816. During the period between those two dates there was consequently a failure of reciprocity or equality in the existing regulations of the two countries. I recommend to the consideration of Congress the expediency of paying to the British Government the amount of the duties remitted during the period in question to citizens of the United States, subject to a deduction of the amount of whatever discriminating duties may have commenced in British ports after the signature of that convention and been collected previous to the 17th of August, 1815.

JAMES MADISON.

FEBRUARY 6, 1817.

To the Senate and House of Representatives of the United States:

On comparing the fourth section of the act of Congress passed March 31, 1814, providing for the idemnification of certain claimants of public lands in the Mississippi Territory, with the article of agreement and cession between the United States and State of Georgia, bearing date April 30, 1802, it appears that the engagements entered into with the claimants interfere with the rights and interests secured to that State. I recommend to Congress that provision be made by law for payments to the State of Georgia equal to the amount of Mississippi stock which shall be paid into the Treasury until the stipulated sum of $1,250,000 shall be completed.

JAMES MADISON.

VETO MESSAGE.

MARCH 3, 1817.

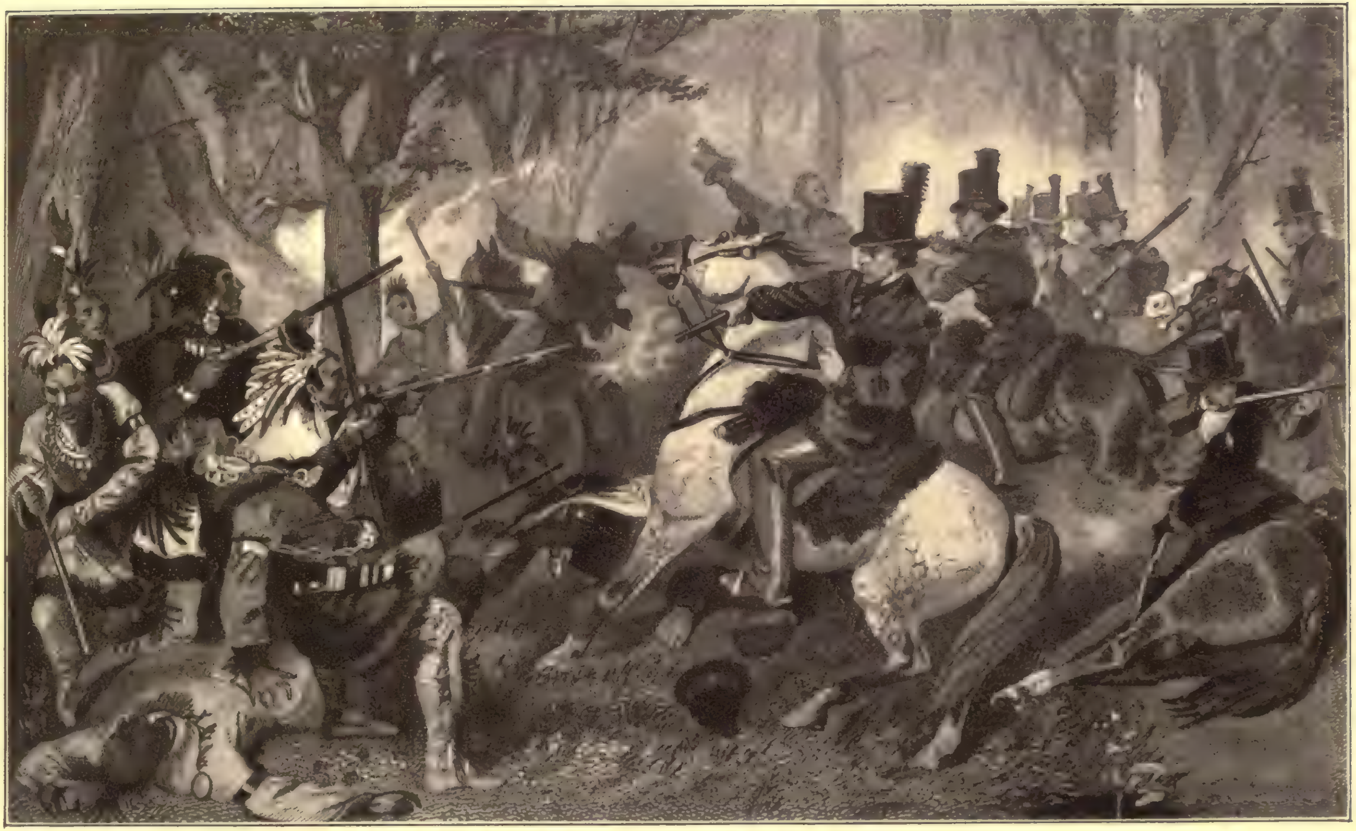
To the House of Representatives of the United States:

Having considered the bill this day presented to me entitled "An act to set apart and pledge certain funds for internal improvements," and which sets apart and pledges funds "for constructing roads and canals, and improving the navigation of water courses, in order to facilitate, promote, and give security to internal commerce among the several States, and to render more easy and less expensive the means and provisions for the common defense," I am constrained by the insuperable difficulty I feel in reconciling the bill with the Constitution of the United States to return it with that objection to the House of Representatives, in which it originated.

The legislative powers vested in Congress are specified and enumerated in the eighth section of the first article of the Constitution, and it does not appear that the power proposed to be exercised by the bill is among the enumerated powers, or that it falls by any just interpretation within the power to make laws necessary and proper for carrying into execution those or other powers vested by the Constitution in the Government of the United States.

"The power to regulate commerce among the several States" can not include a power to construct roads and canals, and to improve the navigation of water courses in order to facilitate, promote, and secure such a commerce without a latitude of construction departing from the ordinary import of the terms strengthened by the known inconveniences which doubtless led to the grant of this remedial power to Congress.

To refer the power in question to the clause "to provide for the common defense and general welfare" would be contrary to the established and consistent rules of interpretation, as rendering the special and careful enumeration of powers which follow the clause nugatory and improper.



BATTLE OF THE THAMES—DEATH OF TECUMSEH

BATTLE OF THE THAMES, CANADA.

October 5, 1813.

This picture illustrates a phase of the War of 1812 which is but little known. Tecumseh, the ambitious chieftain, whose forces had been routed by Harrison at Tippecanoe, made allies of the British. His 1200 warriors retreated with 800 British regulars before the advance of 3000 Americans under William Henry Harrison. Tecumseh induced the British commander to halt and give battle at a point eight miles north of the Thames. They were completely routed, Tecumseh himself being one of the killed. The picture represents him dying by a pistol shot. Six hundred of the British were captured, 18 killed and 26 wounded. The American loss in killed and wounded was about the same. The bodies of 33 Indians were found. See the encyclopedic index article entitled "Thames, Canada, Battle of."

Such a view of the Constitution would have the effect of giving to Congress a general power of legislation instead of the defined and limited one hitherto understood to belong to them, the terms "common defense and general welfare" embracing every object and act within the purview of a legislative trust. It would have the effect of subjecting both the Constitution and laws of the several States in all cases not specifically exempted to be superseded by laws of Congress, it being expressly declared "that the Constitution of the United States and laws made in pursuance thereof shall be the supreme law of the land, and the judges of every State shall be bound thereby, anything in the constitution or laws of any State to the contrary notwithstanding." Such a view of the Constitution, finally, would have the effect of excluding the judicial authority of the United States from its participation in guarding the boundary between the legislative powers of the General and the State Governments, inasmuch as questions relating to the general welfare, being questions of policy and expediency, are unsusceptible of judicial cognizance and decision.

A restriction of the power "to provide for the common defense and general welfare" to cases which are to be provided for by the expenditure of money would still leave within the legislative power of Congress all the great and most important measures of Government, money being the ordinary and necessary means of carrying them into execution.

If a general power to construct roads and canals, and to improve the navigation of water courses, with the train of powers incident thereto, be not possessed by Congress, the assent of the States in the mode provided in the bill can not confer the power. The only cases in which the consent and cession of particular States can extend the power of Congress are those specified and provided for in the Constitution.

I am not unaware of the great importance of roads and canals and the improved navigation of water courses, and that a power in the National Legislature to provide for them might be exercised with signal advantage to the general prosperity. But seeing that such a power is not expressly given by the Constitution, and believing that it can not be deduced from any part of it without an inadmissible latitude of construction and a reliance on insufficient precedents; believing also that the permanent success of the Constitution depends on a definite partition of powers between the General and the State Governments, and that no adequate landmarks would be left by the constructive extension of the powers of Congress as proposed in the bill, I have no option but to withhold my signature from it, and to cherishing the hope that its beneficial objects may be attained by a resort for the necessary powers to the same wisdom and virtue in the nation which established the Constitution in its actual form and providently marked out in the instrument itself a safe and practicable mode of improving it as experience might suggest.

JAMES MADISON.

PROCLAMATION.

[From Annals of Congress, Fourteenth Congress, second session, 218.]

WASHINGTON, *January 1, 1817.*

To the Senators of the United States, respectively.

SIR: Objects interesting to the United States requiring that the Senate should be in session on the 4th of March next to receive such communications as may be made to it on the part of the Executive, your attendance in the Senate Chamber in this city on that day is accordingly requested.

JAMES MADISON.

ERRATA.

[These proclamations were not found in time for insertion in their proper places; see pp. 91 and 170.]

PROCLAMATION.

PHILADELPHIA, *March 1, 1791.*

The President of the United States to the President of the Senate:

Certain matters touching the public good requiring that the Senate shall be convened on Friday, the 4th instant, I have desired their attendance, as I do yours, by these presents, at the Senate Chamber in Philadelphia on that day, then and there to receive and deliberate on such communications as shall be made to you on my part.

Gº WASHINGTON.

PROCLAMATION.

UNITED STATES, *March 3, 1795.*

The President of the United States to ——, Senator for the State of ——:

Certain matters touching the public good requiring that the Senate shall be convened on Monday, the 8th of June next, you are desired to attend the Senate Chamber in Philadelphia on that day, then and there to receive and deliberate on such communications as shall be made to you on my part.

Gº WASHINGTON.

QUESTIONS.

1. What were the Milan and Berlin Decrees? Pages 466, 476, 503.
2. What difficulties were encountered in reducing the army to a peace footing after the War of 1812? Page 549.
3. What important battle did William Henry Harrison win in Canada? Opposite page 570.
4. What were Madison's views of the Militia? Page 561.
5. What reason did Madison give for recommending the establishment of a second military academy? Page 472.
6. What preliminary steps did Madison take toward raising an army of militia? Page 463.
7. Who said, "We have met the enemy and they are ours"? Opposite page 548.
8. What were the four early successes at sea during the War of 1812? Pages 502, 506, 507.
9. In what departments of the Government has the Patent Office been placed? Page 556.
10. Cite the nature of the benefits and the obligations as well as of the frauds under naturalization laws. Page 508.
11. What weakness in the State militia system was developed early in the War of 1812? Page 501.
12. What useful object would be attained by having American vessels navigated exclusively by American seamen? Pages 540, 548.

SUGGESTIONS.

Madison's discussion of the powers of the Federal and State Governments is both instructive and interesting. Pages 474, 475, 540, 569.

Madison's administration was especially marked by the War of 1812. Pages 484 to 490, 499 to 505, 509 to 515, 519 to 525, 527 to 537. See also facsimile of Burning of Capitol, opposite page 537.

Read Madison's Foreign Policy. Pages 452, 473.

NOTE.

For further suggestions on Madison's administration, see Madison, James, Encyclopedic Index.

By reading the Foreign Policy of each President, and by scanning the messages as to the state of the nation, a thorough knowledge of the history of the United States will be acquired from the most authentic sources; because, as has been said, "Each President reviews the past, depicts the present and forecasts the future of the nation."

James Monroe

March 4, 1817, to March 4, 1825

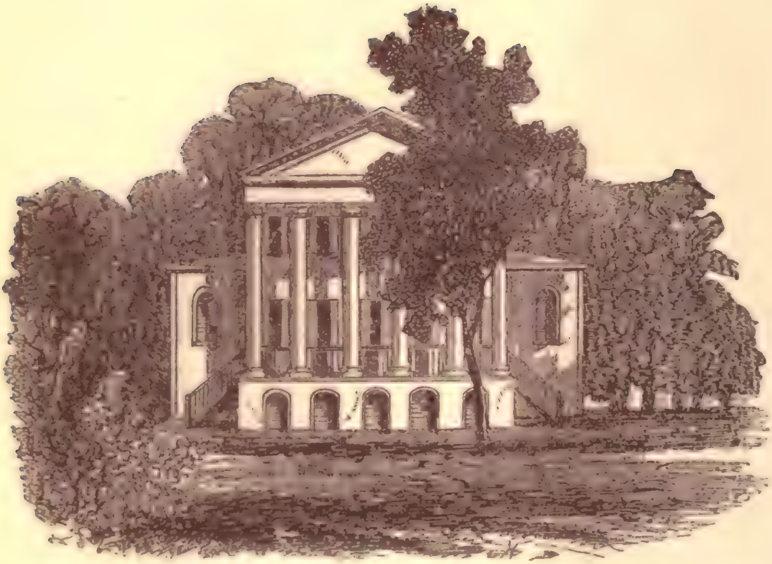
SEE ENCYCLOPEDIC INDEX.

The Encyclopedic Index is not only an index to the other volumes, not only a key that unlocks the treasures of the entire publication, but it is in itself an alphabetically arranged brief history or story of the great controlling events constituting the History of the United States.

Under its proper alphabetical classification the story is told of every great subject referred to by any of the Presidents in their official Messages, and at the end of each article the official utterances of the Presidents themselves are cited upon the subject, so that you may readily turn to the page in the body of the work itself for this original information.

Next to the possession of knowledge is the ability to turn at will to where knowledge is to be found.

James Monroe



HOME AT LOUDON COUNTY, VIRGINIA, OF JAMES MONROE

With reproduction of official portrait from the White House Collection

James Monroe

MONROE

I have been requested to write my opinion as to by what act or policy will ex-President Monroe be best remembered by posterity. Public men are remembered not so much for what they are as for what great policies or acts their names happen to be associated with. The plain, simple-minded backwoodsman, Daniel Boone, occupies a large place in the history of this country, because he first pushed westward into the wilderness and established a home for our race beyond the Alleghenies, and learned lawyers and statesmen of that time who would have looked down with contempt upon the plain pioneer have been forgotten, while Boone is gratefully remembered by millions of Americans. James Monroe is peculiarly fortunate because his name is associated, first, with the great westward extension of our domain beyond the Mississippi, and secondly, with the enunciation of a great doctrine which must for all time dominate the Western Hemisphere. When President Jefferson saw the necessity of securing the mouth of the Mississippi, in order to prevent the western backwoodsmen from going down the river and forcibly taking possession and thus precipitating a war with France—Jefferson being of a conservative and somewhat timid nature—he attempted to divert this by purchasing from France the mouth of that river, and having confidence in the ability of Mr. Monroe, he sent him on a special mission to France for this purpose.

As Napoleon was about to declare war against Great Britain, and knowing that the British fleet had weakened the sea power of both France and Spain, and that it would be almost impossible to hold the mouth of the Mississippi river, he was in a frame of mind to treat favorably the proposition made by Mr. Monroe, and our minister to France, Mr. Livingston. Through their combined efforts, but more particularly through the efforts of Mr. Monroe, we were enabled to secure for a small sum not only the mouth of the Mississippi, but the vast territory extending west to the Rocky Mountains; thus fixing the destiny of this country and making it for all time the dominant power in the Western Hemisphere.

After the crushing defeat of the French and Spanish navies by Nelson at Trafalgar, Great Britain was left mistress of the seas, which supremacy, however, was disputed in 1812 by the descendants of the sea rovers who had commenced to build a great empire in the Western Hemisphere. The Spanish colonies extending from Mexico to Cape Horn had succeeded in throwing off the Spanish yoke, but European powers, fearing the extension of republican institutions, formed what is known as the "Holy Alliance," with Russia at its head, and determined to aid Spain in reconquering her American possessions. At this juncture Mr. Canning, the British minister, proposed to the American minister at London that the two countries should stand together in resisting, if necessary, by force of arms, this interference by European powers in American affairs, and assured him that Great Britain would lend efficient aid to the United States, if necessary, in preventing this.

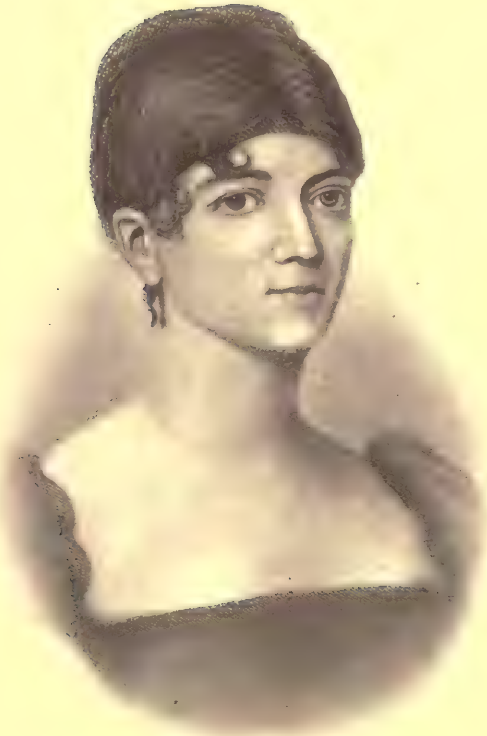
This proposition was forwarded by President Monroe to Mr. Jefferson at Monticello, who replied that this was the most important subject brought to his notice since the Declaration of Independence, and advised the President to accept the "proffered aid of England," and the celebrated Monroe Doctrine, which was promulgated by President Monroe in his message of December 2, 1823, was the result. This doctrine, which never had legislative sanction, has been accepted by the American people as a policy which must be enforced, if necessary, by a resort to arms, and has also been accepted by some of the foreign powers.

This doctrine was re-enunciated when Napoleon III attempted to put a foreign king upon the throne of Mexico, and the United States placed an army upon the Mexican border and notified Napoleon that the French troops must be withdrawn and the Mexicans must decide for themselves what form of government they desired. It was again re-enunciated recently in the Venezuela question, and the interpretation put upon it by this Government was accepted by England, the only great sea power having anything like an ability to dispute it.

A doctrine like this, which is accepted by the entire population of a great country, irrespective of party, is more potent than any mere legislative action, and for the enunciation of this great doctrine Monroe must for all times be honored as one of the great Americans.

The potency of this doctrine should be an inspiration to our rulers for future times, showing them that great ends may be achieved by the firm and fearless enunciation of great doctrines by the President of a great people independent of legislative action. It has a material bearing on the tremendous problems soon to be solved in the Far East.

John W Foster



ELIZABETH KORTRIGHT MONROE

Elizabeth Kortright was the daughter of a retired captain in the British Army, who, after the peace of 1783, remained in New York. She married Mr. Monroe there during a session of Congress, but later the seat of government was removed to Philadelphia, where they resided until 1794, when Monroe was made Envoy Extraordinary and Minister Plenipotentiary to France. Her husband's several foreign positions of trust obliged them to live much abroad. She saved the life of Madame de Lafayette, who, upon the very day of Mrs. Monroe's call at the prison, was to have been beheaded, but was liberated by the powerful support of the American Minister's wife. Mrs. Monroe was elegant, accomplished, dignified and charming, and her "drawing rooms" were more ceremonious than those of Mrs. Madison. She died suddenly, one year before her husband, who spent the remainder of his life with his daughter Mrs. Gouverneur in New York.

James Monroe

JAMES MONROE was born April 28, 1758, in Westmoreland County, Va. He was the son of Spence Monroe and Elizabeth Jones, both natives of Virginia. When in his eighteenth year he enlisted as a private soldier in the Army to fight for independence; was in several battles, and was wounded in the engagement at Trenton; was promoted to the rank of captain of infantry. During 1777 and 1778 he acted as aid to Lord Stirling, and distinguished himself. He studied law under the direction of Thomas Jefferson, then governor of Virginia, who in 1780 appointed him to visit the army in South Carolina on an important mission. In 1782 he was elected to the Virginia assembly by the county of King George, and was by that body chosen a member of the executive council. The next year he was chosen a delegate to the Continental Congress, and remained a member until 1786; while a member he married a Miss Kortright, of New York City. Retiring from Congress, he began the practice of law at Fredericksburg, Va., but was at once elected to the legislature. In 1788 was a delegate to the State convention assembled to consider the Federal Constitution. Was a Senator from Virginia from 1790 to 1794. In May, 1794, was appointed by Washington minister to France. He was recalled in 1796, and was again elected to the legislature. In 1799 was elected governor of Virginia. In 1802 was appointed by President Jefferson envoy extraordinary to France, and in 1803 was sent to London as the successor of Rufus King. In 1805 performed a diplomatic mission to Spain in relation to the boundary of Louisiana, returning to London the following year; returned to the United States in 1808. In 1811 was again elected governor of his State, but in the same year resigned that office to become Secretary of State under President Madison. After the capture of Washington, in 1814, he was appointed to the War Department, which position he held until 1815, without relinquishing the office of Secretary of State. He remained at the head of the Department of State until the close of Mr. Madison's term. Was elected President in 1816, and reelected in 1820, retiring March 4, 1825, to his residence in Loudoun County, Va. In 1829 was elected a member of the convention called to revise the constitution of the State, and was unanimously chosen to preside over its deliberations. He was forced by ill health to retire from office, and removed to New York to reside with his son-in-law, Mr. Samuel L. Gouverneur. He died July 4, 1831, and was buried in New York City, but in 1858 his remains were removed to Richmond, Va.

LETTER FROM THE PRESIDENT ELECT.

The President of the Senate communicated the following letter from the President elect of the United States:

CITY OF WASHINGTON, *March 1, 1817.*

Hon. JOHN GAILLARD,
President of the Senate of the United States.

SIR: I beg leave through you to inform the honorable Senate of the United States that I propose to take the oath which the Constitution prescribes to the President of the United States before he enters on the execution of his office on Tuesday, the 4th instant, at 12 o'clock, in the Chamber of the House of Representatives.

I have the honor to be, with the greatest respect, sir, your most obedient and most humble servant,

JAMES MONROE.

FIRST INAUGURAL ADDRESS.

I should be destitute of feeling if I was not deeply affected by the strong proof which my fellow-citizens have given me of their confidence in calling me to the high office whose functions I am about to assume. As the expression of their good opinion of my conduct in the public service, I derive from it a gratification which those who are conscious of having done all that they could to merit it can alone feel. My sensibility is increased by a just estimate of the importance of the trust and of the nature and extent of its duties, with the proper discharge of which the highest interests of a great and free people are intimately connected. Conscious of my own deficiency, I cannot enter on these duties without great anxiety for the result. From a just responsibility I will never shrink, calculating with confidence that in my best efforts to promote the public welfare my motives will always be duly appreciated and my conduct be viewed with that candor and indulgence which I have experienced in other stations.

In commencing the duties of the chief executive office it has been the practice of the distinguished men who have gone before me to explain the principles which would govern them in their respective Administrations. In following their venerated example my attention is naturally drawn to the great causes which have contributed in a principal degree to produce the present happy condition of the United States. They will best explain the nature of our duties and shed much light on the policy which ought to be pursued in future.

From the commencement of our Revolution to the present day almost forty years have elapsed, and from the establishment of this Constitution twenty-eight. Through this whole term the Government has been what may emphatically be called self-government. And what has been the effect? To whatever object we turn our attention, whether it relates to our foreign or domestic concerns, we find abundant cause to felicitate ourselves in the excellence of our institutions. During a period fraught with difficulties and marked by very extraordinary events the United States have flourished beyond example. Their citizens individually have been happy and the nation prosperous.

Under this Constitution our commerce has been wisely regulated with foreign nations and between the States; new States have been admitted into our Union; our territory has been enlarged by fair and honorable treaty, and with great advantage to the original States; the States, respectively protected by the National Government under a mild, parental system against foreign dangers, and enjoying within their separate spheres, by a wise partition of power, a just proportion of the sovereignty, have improved their police, extended their settlements, and attained a strength and maturity which are the best proofs of wholesome laws well administered. And if we look to the condition of individuals what a proud spectacle does it exhibit! On whom has oppression fallen in any quarter of our Union? Who has been deprived of any right of person or property? Who restrained from offering his vows in the mode which he prefers to the Divine Author of his being? It is well known that all these blessings have been enjoyed in their fullest extent; and I add with peculiar satisfaction that there has been no example of a capital punishment being inflicted on anyone for the crime of high treason.

Some who might admit the competency of our Government to these beneficent duties might doubt it in trials which put to the test its strength and efficiency as a member of the great community of nations. Here too experience has afforded us the most satisfactory proof in its favor. Just as this Constitution was put into action several of the principal States of Europe had become much agitated and some of them seriously convulsed. Destructive wars ensued, which have of late only been terminated. In the course of these conflicts the United States received great injury from several of the parties. It was their interest to stand aloof from the contest, to demand justice from the party committing the injury, and to cultivate by a fair and honorable conduct the friendship of all. War became at length inevitable, and the result has shown that our Government is equal to that, the greatest of trials, under the most unfavorable circumstances. Of the virtue of the people and of the heroic exploits of the Army, the Navy, and the militia I need not speak.

Such, then, is the happy Government under which we live—a Government adequate to every purpose for which the social compact is formed; a Government elective in all its branches, under which every citizen may by his merit obtain the highest trust recognized by the Constitution; which contains within it no cause of discord, none to put at variance one portion of the community with another; a Government which protects every citizen in the full enjoyment of his rights, and is able to protect the nation against injustice from foreign powers.

Other considerations of the highest importance admonish us to cherish our Union and to cling to the Government which supports it. Fortunate as we are in our political institutions, we have not been less so in other circumstances on which our prosperity and happiness essentially depend. Situated within the temperate zone, and extending through many degrees of latitude along the Atlantic, the United States enjoy all the varieties of climate, and every production incident to that portion of the globe. Penetrating internally to the Great Lakes and beyond the sources of the great rivers which communicate through our whole interior, no country was ever happier with respect to its domain. Blessed, too, with a fertile soil, our produce has always been very abundant, leaving, even in years the least favorable, a surplus for the wants of our fellow-men in other countries. Such is our peculiar felicity that there is not a part of our Union that is not particularly interested in preserving it. The great agricultural interest of the nation prospers under its protection. Local interests are not less fostered by it. Our fellow-citizens of the North engaged in navigation find great encouragement in being made the favored carriers of the vast productions of the other portions of the United States, while the inhabitants of these are amply recompensed, in their turn, by the nursery for seamen and naval force thus formed and reared up for the support of our common rights. Our manufactures find a generous encouragement by the policy which patronizes domestic industry, and the surplus of our produce a steady and profitable market by local wants in less-favored parts at home.

Such, then, being the highly favored condition of our country, it is the interest of every citizen to maintain it. What are the dangers which menace us? If any exist they ought to be ascertained and guarded against.

In explaining my sentiments on this subject it may be asked, What raised us to the present happy state? How did we accomplish the Revolution? How remedy the defects of the first instrument of our Union, by infusing into the National Government sufficient power for national purposes, without impairing the just rights of the States or affecting those of individuals? How sustain and pass with glory through the late war? The Government has been in the hands of the people. To the people, therefore, and to the faithful and able depositaries of their trust is the credit due. Had the people of the United States been educated in different principles, had they been less intelligent, less independent, or less virtuous, can it be believed that we should have maintained the same steady and consistent career or been blessed with the same success? While, then, the constituent body retains its present sound and healthful state everything will be safe. They will choose competent and faithful representatives for every department. It is only when the people become ignorant and corrupt, when they degenerate into a populace, that they are incapable of exercising the sovereignty. Usurpation is then an easy attainment, and an usurper soon found. The people themselves become the willing instruments of their own debasement and ruin. Let us, then, look to the great cause, and endeavor to preserve it in full force. Let us by all wise and constitutional measures promote intelligence among the people as the best means of preserving our liberties.

Dangers from abroad are not less deserving of attention. Experiencing the fortune of other nations, the United States may be again involved in war, and it may in that event be the object of the adverse party to overset our Government, to break our Union, and demolish us as a nation. Our distance from Europe and the just, moderate, and pacific policy of our Government may form some security against these dangers, but they ought to be anticipated and guarded against. Many of our citizens are engaged in commerce and navigation, and all of them are in a certain degree dependent on their prosperous state. Many are engaged in the fisheries. These interests are exposed to invasion in the wars between other powers, and we should disregard the faithful admonition of experience if we did not expect it. We must support our rights or lose our character, and with it, perhaps, our liberties. A people who fail to do it can scarcely be said to hold a place among independent nations. National honor is national property of the highest value. The sentiment in the mind of every citizen is national strength. It ought therefore to be cherished.

To secure us against these dangers our coast and inland frontiers should be fortified, our Army and Navy, regulated upon just principles as to the force of each, be kept in perfect order, and our militia be placed on the best practicable footing. To put our extensive coast in such a state of defense as to secure our cities and interior from invasion will be attended with expense, but the work when finished will be permanent, and it is fair to presume that a single campaign of invasion by a naval force superior to our own, aided by a few thousand land troops, would expose us to greater expense, without taking into the estimate the loss of property and distress of our citizens, than would be sufficient for this great work. Our land and naval forces should be moderate, but adequate to the necessary purposes—the former to garrison and preserve our fortifications and to meet the first invasions of a foreign foe, and, while constituting the elements of a greater force, to preserve the science as well as all the necessary implements of war in a state to be brought into activity in the event of war; the latter, retained within the limits proper in a state of peace, might aid in maintaining the neutrality of the United States with dignity in the wars of other powers and in saving the property of their citizens from spoliation. In time of war, with the enlargement of which the great naval resources of the country render it susceptible, and which should be duly fostered in time of peace, it would contribute essentially, both as an auxiliary of defense and as a powerful engine of annoyance, to diminish the calamities of war and to bring the war to a speedy and honorable termination.

But it ought always to be held prominently in view that the safety of these States and of everything dear to a free people must depend in an eminent degree on the militia. Invasions may be made too formidable to be resisted by any land and naval force which it would comport either with the principles of our Government or the circumstances of the United States to maintain. In such cases recourse must be had to the great body of the people, and in a manner to produce the best effect. It is of the highest importance, therefore, that they be so organized and trained as to be prepared for any emergency. The arrangement should be such as to put at the command of the Government the ardent patriotism and youthful vigor of the country. If formed on equal and just principles, it can not be oppressive. It is the crisis which makes the pressure, and not the laws which provide a remedy for it. This arrangement should be formed, too, in time of peace, to be the better prepared for war. With such an organization of such a people the United States have nothing to dread from foreign invasion. At its approach an overwhelming force of gallant men might always be put in motion.

Other interests of high importance will claim attention, among which the improvement of our country by roads and canals, proceeding always with a constitutional sanction, holds a distinguished place. By thus facilitating the intercourse between the States we shall add much to the convenience and comfort of our fellow-citizens, much to the ornament of the country, and, what is of greater importance, we shall shorten distances, and, by making each part more accessible to and dependent on the other, we shall bind the Union more closely together. Nature has done so much for us by intersecting the country with so many great rivers, bays, and lakes, approaching from distant points so near to each other, that the inducement to complete the work seems to be peculiarly strong. A more interesting spectacle was perhaps never seen than is exhibited within the limits of the United States—a territory so vast and advantageously situated, containing objects so grand, so useful, so happily connected in all their parts!

Our manufactures will likewise require the systematic and fostering care of the Government. Possessing as we do all the raw materials, the fruit of our own soil and industry, we ought not to depend in the degree we have done on supplies from other countries. While we are thus dependent the sudden event of war, unsought and unexpected, can not fail to plunge us into the most serious difficulties. It is important, too, that the capital which nourishes our manufactures should be domestic, as its influence in that case instead of exhausting, as it may do in foreign hands, would be felt advantageously on agriculture and every other branch of industry. Equally important is it to provide at home a market for our raw materials, as by extending the competition it will enhance the price and protect the cultivator against the casualties incident to foreign markets.

With the Indian tribes it is our duty to cultivate friendly relations and to act with kindness and liberality in all our transactions. Equally proper is it to persevere in our efforts to extend to them the advantages of civilization.

The great amount of our revenue and the flourishing state of the Treasury are a full proof of the competency of the national resources for any emergency, as they are of the willingness of our fellow-citizens to bear the burdens which the public necessities require. The vast amount of vacant lands, the value of which daily augments, forms an additional resource of great extent and duration. These resources, besides accomplishing every other necessary purpose, put it completely in the power of the United States to discharge the national debt at an early period. Peace is the best time for improvement and preparation of every kind; it is in peace that our commerce flourishes most, that taxes are most easily paid, and that the revenue is most productive.

The Executive is charged officially in the Departments under it with the disbursement of the public money, and is responsible for the faithful application of it to the purposes for which it is raised. The Legislature is the watchful guardian over the public purse. It is its duty to see that the disbursement has been honestly made. To meet the requisite responsibility every facility should be afforded to the Executive to enable it to bring the public agents intrusted with the public money strictly and promptly to account. Nothing should be presumed against them; but if, with the requisite facilities, the public money is suffered to lie long and uselessly in their hands, they will not be the only defaulters, nor will the demoralizing effect be confined to them. It will evince a relaxation and want of tone in the Administration which will be felt by the whole community. I shall do all I can to secure economy and fidelity in this important branch of the Administration, and I doubt not that the Legislature will perform its duty with equal zeal. A thorough examination should be regularly made, and I will promote it.

It is particularly gratifying to me to enter on the discharge of these duties at a time when the United States are blessed with peace. It is a state most consistent with their prosperity and happiness. It will be my sincere desire to preserve it, so far as depends on the Executive, on just principles with all nations, claiming nothing unreasonable of any and rendering to each what is its due.

Equally gratifying is it to witness the increased harmony of opinion which pervades our Union. Discord does not belong to our system. Union is recommended as well by the free and benign principles of our Government, extending its blessings to every individual, as by the other eminent advantages attending it. The American people have encountered together great dangers and sustained severe trials with success. They constitute one great family with a common interest. Experience has enlightened us on some questions of essential importance to the country. The progress has been slow, dictated by a just reflection and a faithful regard to every interest connected with it. To promote this harmony in accord with the principles of our republican Government and in a manner to give them the most complete effect, and to advance in all other respects the best interests of our Union, will be the object of my constant and zealous exertions.

Never did a government commence under auspices so favorable, nor ever was success so complete. If we look to the history of other nations, ancient or modern, we find no example of a growth so rapid, so gigantic, of a people so prosperous and happy. In contemplating what we have still to perform, the heart of every citizen must expand with joy when he reflects how near our Government has approached to perfection; that in respect to it we have no essential improvement to make; that the great object is to preserve it in the essential principles and features which characterize it, and that that is to be done by preserving the virtue and enlightening the minds of the people; and as a security against foreign dangers to adopt such arrangements as are indispensable to the support of our independence, our rights and liberties. If we persevere in the career in which we have advanced so far and in the path already traced, we can not fail, under the favor of a gracious Providence, to attain the high destiny which seems to await us.

In the Administrations of the illustrious men who have preceded me in this high station, with some of whom I have been connected by the closest ties from early life, examples are presented which will always be found highly instructive and useful to their successors. From these I shall endeavor to derive all the advantages which they may afford. Of my immediate predecessor, under whom so important a portion of this great and successful experiment has been made, I shall be pardoned for expressing my earnest wishes that he may long enjoy in his retirement the affections of a grateful country, the best reward of exalted talents and the most faithful and meritorious services. Relying on the aid to be derived from the other departments of the Government, I enter on the trust to which I have been called by the suffrages of my fellow-citizens with my fervent prayers to the Almighty that He will be graciously pleased to continue to us that protection which He has already so conspicuously displayed in our favor.

MARCH 4, 1817.

PROCLAMATION.

[From Niles's Weekly Register, vol. 12, p. 176.]

BY THE PRESIDENT OF THE UNITED STATES.

Whereas by an act entitled "An act providing for the sale of the tract of land at the lower rapids of Sandusky River," passed on the 27th day of April, 1816, it was enacted that all the lands in the said tract, except the reservations made in the said act, should be offered for sale to the highest bidder at Wooster, in the State of Ohio, under the direction of the register of the land office and the receiver of public moneys at Wooster, and on such day or days as shall, by a public proclamation of the President of the United States, be designated for that purpose; and

Whereas by an act entitled "An act providing for the sale of the tract of land at the British fort at the Miami of the Lake, at the foot of the rapids, and for other purposes," passed the 27th day of April, 1816, it was enacted that all the land contained in the said tract, except the reservations and exceptions made in the said act, should be offered for sale to the highest bidder at Wooster, in the State of Ohio, under the direction of the register of the land office and the receiver of public moneys at Wooster, and on such day or days as shall, by a public proclamation of the President of the United States, be designated for that purpose:

Wherefore I, James Monroe, President of the United States, in conformity with the provisions of the acts before recited, do hereby declare and make known that the lands authorized to be sold by the first-mentioned act shall be offered for sale to the highest bidder at Wooster, in the State of Ohio, on the first Monday in July next, and continue open for seven days and no longer, and that the lands authorized to be sold by the last-mentioned act shall be offered for sale to the highest bidder at the same place on the third Tuesday in July next, and continue open for seven days and no longer.

Given under my hand this 15th day of April, 1817.

By the President: JAMES MONROE.

J. MEIGS,
Commissioner of the General Land Office

FIRST ANNUAL MESSAGE.

Fellow-Citizens of the Senate and of the House of Representatives:

At no period of our political existence had we so much cause to felicitate ourselves at the prosperous and happy condition of our country. The abundant fruits of the earth have filled it with plenty. An extensive and profitable commerce has greatly augmented our revenue. The public credit has attained an extraordinary elevation. Our preparations for defense in case of future wars, from which, by the experience of all nations, we ought not to expect to be exempted, are advancing under a well-digested system with all the dispatch which so important a work will admit. Our free Government, founded on the interest and affections of the people, has gained and is daily gaining strength. Local jealousies are rapidly yielding to more generous, enlarged, and enlightened views of national policy. For advantages so numerous and highly important it is our duty to unite in grateful acknowledgments to that Omnipotent Being from whom they are derived, and in unceasing prayer that He will endow us with virtue and strength to maintain and hand them down in their utmost purity to our latest posterity.

I have the satisfaction to inform you that an arrangement which had been commenced by my predecessor with the British Government for the reduction of the naval force by Great Britain and the United States on the Lakes has been concluded, by which it is provided that neither party shall keep in service on Lake Champlain more than one vessel, on Lake Ontario more than one, and on Lake Erie and the upper lakes more than two, to be armed each with one cannon only, and that all the other armed vessels of both parties, of which an exact list is interchanged, shall be dismantled. It is also agreed that the force retained shall be restricted in its duty to the internal purposes of each party, and that the arrangement shall remain in force until six months shall have expired after notice given by one of the parties to the other of its desire that it should terminate. By this arrangement useless expense on both sides and, what is of still greater importance, the danger of collision between armed vessels in those inland waters, which was great, is prevented.

I have the satisfaction also to state that the commissioners under the fourth article of the treaty of Ghent, to whom it was referred to decide to which party the several islands in the bay of Passamaquoddy belonged under the treaty of 1783, have agreed in a report, by which all the islands in the possession of each party before the late war have been decreed to it. The commissioners acting under the other articles of the treaty of Ghent for the settlement of boundaries have also been engaged in the discharge of their respective duties, but have not yet completed them. The difference which arose between the two Governments under that treaty respecting the right of the United States to take and cure fish on the coast of the British provinces north of our limits, which had been secured by the treaty of 1783, is still in negotiation. The proposition made by this Government to extend to the colonies of Great Britain the principle of the convention of London, by which the commerce between the ports of the United States and British ports in Europe had been placed on a footing of equality, has been declined by the British Government. This subject having been thus amicably discussed between the two Governments, and it appearing that the British Government is unwilling to depart from its present regulations, it remains for Congress to decide whether they will make any other regulations in consequence thereof for the protection and improvement of our navigation.

The negotiation with Spain for spoliations on our commerce and the settlement of boundaries remains essentially in the state it held by the communications that were made to Congress by my predecessor. It has been evidently the policy of the Spanish Government to keep the negotiation suspended, and in this the United States have acquiesced, from an amicable disposition toward Spain and in the expectation that her Government would, from a sense of justice, finally accede to such an arrangement as would be equal between the parties. A disposition has been lately shown by the Spanish Government to move in the negotiation, which has been met by this Government, and should the conciliatory and friendly policy which has invariably guided our councils be reciprocated, a just and satisfactory arrangement may be expected. It is proper, however, to remark that no proposition has yet been made from which such a result can be presumed.

It was anticipated at an early stage that the contest between Spain and the colonies would become highly interesting to the United States. It was natural that our citizens should sympathize in events which affected their neighbors. It seemed probable also that the prosecution of the conflict along our coast and in contiguous countries would occasionally interrupt our commerce and otherwise affect the persons and property of our citizens. These anticipations have been realized. Such injuries have been received from persons acting under authority of both the parties, and for which redress has in most instances been withheld. Through every stage of the conflict the United States have maintained an impartial neutrality, giving aid to neither of the parties in men, money, ships, or munitions of war. They have regarded the contest not in the light of an ordinary insurrection or rebellion, but as a civil war between parties nearly equal, having as to neutral powers equal rights. Our ports have been open to both, and every article the fruit of our soil or of the industry of our citizens which either was permitted to take has been equally free to the other. Should the colonies establish their independence, it is proper now to state that this Government neither seeks nor would accept from them any advantage in commerce or otherwise which will not be equally open to all other nations. The colonies will in that event become independent states, free from any obligation to or connection with us which it may not then be their interest to form on the basis of a fair reciprocity.

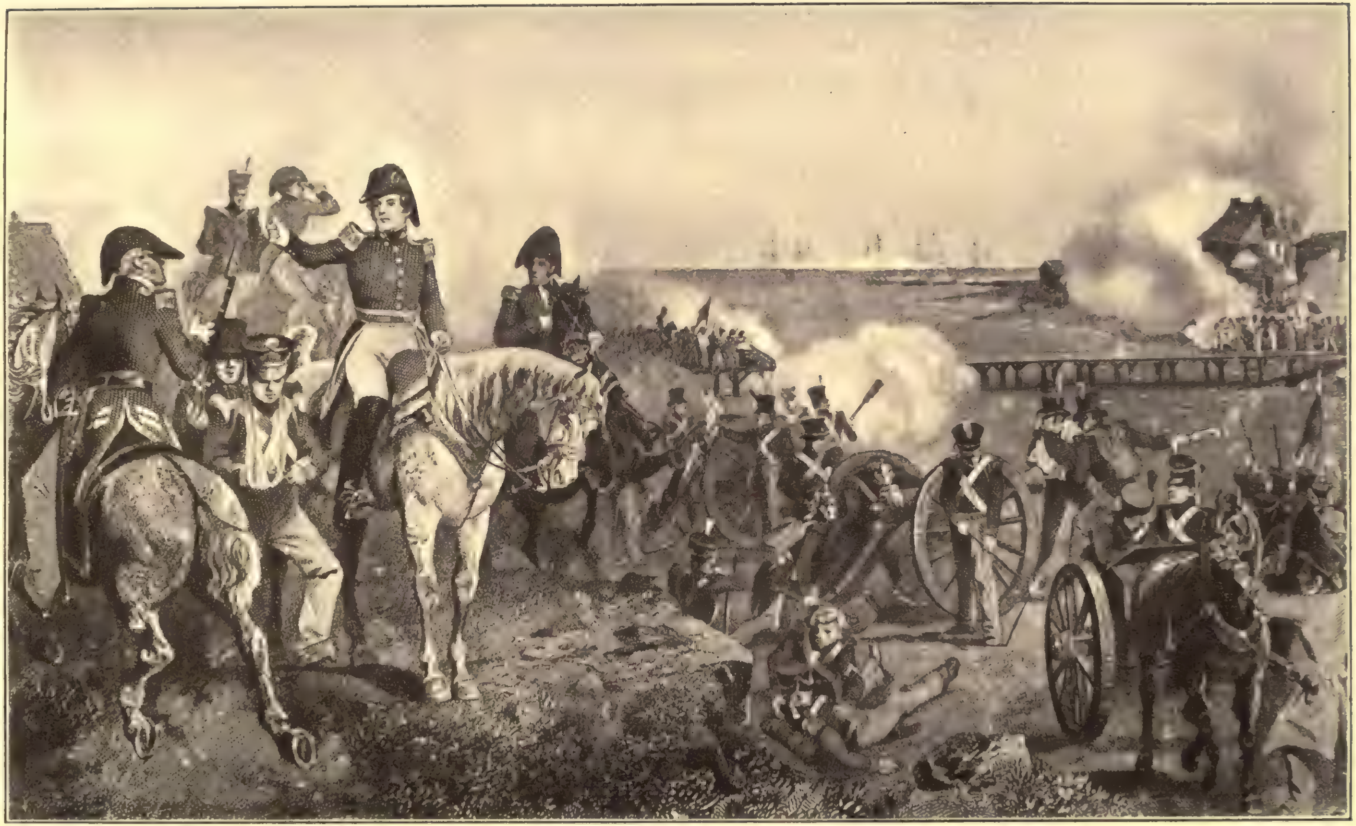
In the summer of the present year an expedition was set on foot against East Florida by persons claiming to act under the authority of some of the colonies, who took possession of Amelia Island, at the mouth of the St. Marys River, near the boundary of the State of Georgia. As this Province lies eastward of the Mississippi, and is bounded by the United

States and the ocean on every side, and has been a subject of negotiation with the Government of Spain as an indemnity for losses by spoliation or in exchange for territory of equal value westward of the Mississippi, a fact well known to the world, it excited surprise that any countenance should be given to this measure by any of the colonies. As it would be difficult to reconcile it with the friendly relations existing between the United States and the colonies, a doubt was entertained whether it had been authorized by them, or any of them. This doubt has gained strength by the circumstances which have unfolded themselves in the prosecution of the enterprise, which have marked it as a mere private, unauthorized adventure. Projected and commenced with an incompetent force, reliance seems to have been placed on what might be drawn, in defiance of our laws, from within our limits; and of late, as their resources have failed, it has assumed a more marked character of unfriendliness to us, the island being made a channel for the illicit introduction of slaves from Africa into the United States, an asylum for fugitive slaves from the neighboring States, and a port for smuggling of every kind.

A similar establishment was made at an earlier period by persons of the same description in the Gulf of Mexico at a place called Galvezton, within the limits of the United States, as we contend, under the cession of Louisiana. This enterprise has been marked in a more signal manner by all the objectionable circumstances which characterized the other, and more particularly by the equipment of privateers which have annoyed our commerce, and by smuggling. These establishments, if ever sanctioned by any authority whatever, which is not believed, have abused their trust and forfeited all claim to consideration. A just regard for the rights and interests of the United States required that they should be suppressed, and orders have been accordingly issued to that effect. The imperious considerations which produced this measure will be explained to the parties whom it may in any degree concern.

To obtain correct information on every subject in which the United States are interested; to inspire just sentiments in all persons in authority, on either side, of our friendly disposition so far as it may comport with an impartial neutrality, and to secure proper respect to our commerce in every port and from every flag, it has been thought proper to send a ship of war with three distinguished citizens along the southern coast with instruction to touch at such ports as they may find most expedient for these purposes. With the existing authorities, with those in the possession of and exercising the sovereignty, must the communication be held; from them alone can redress for past injuries committed by persons acting under them be obtained; by them alone can the commission of the like in future be prevented.

Our relations with the other powers of Europe have experienced no essential change since the last session. In our intercourse with each due attention continues to be paid to the protection of our commerce, and to



THE BATTLES OF PLATTSBURG AND LAKE CHAMPLAIN

THE BATTLE OF PLATTSBURG, N. Y.

September 11, 1814

This engagement is adequately described in the articles entitled "Plattsburg (N. Y.), Battle of," and "Lake Champlain, Battle of," in the Encyclopedic Index.

One phase of the matter, however, though not strictly military, deserves thought: The fifteen hundred inhabitants of Plattsburg, like many other Americans in New York and Vermont, throve on an illicit trade with Canada. The embargo had shut our ports to British shipping, but a constant stream of goods flowed across the border. Grains by the wagon train and meat by the herd were traded to the British army. In fact, by the natural conformation of the land the trade of northern New York and Vermont went to Canada. The St. Lawrence bore their produce instead of the Hudson; Montreal was their Capital instead of Albany. If invention had not transformed the modes of transportation that section would ultimately have connected itself politically with the Dominion.

every other object in which the United States are interested. A strong hope is entertained that, by adhering to the maxims of a just, a candid, and friendly policy, we may long preserve amicable relations with all the powers of Europe on conditions advantageous and honorable to our country.

With the Barbary States and the Indian tribes our pacific relations have been preserved.

In calling your attention to the internal concerns of our country the view which they exhibit is peculiarly gratifying. The payments which have been made into the Treasury show the very productive state of the public revenue. After satisfying the appropriations made by law for the support of the civil Government and of the military and naval establishments, embracing suitable provision for fortifications and for the gradual increase of the Navy, paying the interest of the public debt, and extinguishing more than eighteen millions of the principal, within the present year, it is estimated that a balance of more than $6,000,000 will remain in the Treasury on the 1st day of January applicable to the current service of the ensuing year.

The payments into the Treasury during the year 1818 on account of imposts and tonnage, resulting principally from duties which have accrued in the present year, may be fairly estimated at $20,000,000; the internal revenues at $2,500,000; the public lands at $1,500,000; bank dividends and incidental receipts at $500,000; making in the whole $24,500,000.

The annual permanent expenditure for the support of the civil Government and of the Army and Navy, as now established by law, amounts to $11,800,000, and for the sinking fund to $10,000,000, making in the whole $21,800,000, leaving an annual excess of revenue beyond the expenditure of $2,700,000, exclusive of the balance estimated to be in the Treasury on the 1st day of January, 1818.

In the present state of the Treasury the whole of the Louisiana debt may be redeemed in the year 1819, after which, if the public debt continues as it now is, above par, there will be annually about five millions of the sinking fund unexpended until the year 1825, when the loan of 1812 and the stock created by funding Treasury notes will be redeemable.

It is also estimated that the Mississippi stock will be discharged during the year 1819 from the proceeds of the public lands assigned to that object, after which the receipts from those lands will annually add to the public revenue the sum of one million and a half, making the permanent annual revenue amount to $26,000,000, and leaving an annual excess of revenue after the year 1819 beyond the permanent authorized expenditure of more than $4,000,000.

By the last returns to the Department of War the militia force of the several States may be estimated at 800,000 men—infantry, artillery, and cavalry. Great part of this force is armed, and measures are taken to arm the whole. An improvement in the organization and discipline of the militia is one of the great objects which claims the unremitted attention of Congress.

The regular force amounts nearly to the number required by law, and is stationed along the Atlantic and inland frontiers.

Of the naval force it has been necessary to maintain strong squadrons in the Mediterranean and in the Gulf of Mexico.

From several of the Indian tribes inhabiting the country bordering on Lake Erie purchases have been made of lands on conditions very favorable to the United States, and, as it is presumed, not less so to the tribes themselves.

By these purchases the Indian title, with moderate reservations, has been extinguished to the whole of the land within the limits of the State of Ohio, and to a part of that in the Michigan Territory and of the State of Indiana. From the Cherokee tribe a tract has been purchased in the State of Georgia and an arrangement made by which, in exchange for lands beyond the Mississippi, a great part, if not the whole, of the land belonging to that tribe eastward of that river in the States of North Carolina, Georgia, and Tennessee, and in the Alabama Territory will soon be acquired. By these acquisitions, and others that may reasonably be expected soon to follow, we shall be enabled to extend our settlements from the inhabited parts of the State of Ohio along Lake Erie into the Michigan Territory, and to connect our settlements by degrees through the State of Indiana and the Illinois Territory to that of Missouri. A similar and equally advantageous effect will soon be produced to the south, through the whole extent of the States and territory which border on the waters emptying into the Mississippi and the Mobile. In this progress, which the rights of nature demand and nothing can prevent, marking a growth rapid and gigantic, it is our duty to make new efforts for the preservation, improvement, and civilization of the native inhabitants. The hunter state can exist only in the vast uncultivated desert. It yields to the more dense and compact form and greater force of civilized population; and of right it ought to yield, for the earth was given to mankind to support the greatest number of which it is capable, and no tribe or people have a right to withhold from the wants of others more than is necessary for their own support and comfort. It is gratifying to know that the reservations of land made by the treaties with the tribes on Lake Erie were made with a view to individual ownership among them and to the cultivation of the soil by all, and that an annual stipend has been pledged to supply their other wants. It will merit the consideration of Congress whether other provision not stipulated by treaty ought to be made for these tribes and for the advancement of the liberal and humane policy of the United States toward all the tribes within our limits, and more particularly for their improvement in the arts of civilized life.

Among the advantages incident to these purchases, and to those which have preceded, the security which may thereby be afforded to our inland frontiers is peculiarly important. With a strong barrier, consisting of our own people, thus planted on the Lakes, the Mississippi, and the Mobile, with the protection to be derived from the regular force, Indian hostilities, if they do not altogether cease, will henceforth lose their terror. Fortifications in those quarters to any extent will not be necessary, and the expense attending them may be saved. A people accustomed to the use of firearms only, as the Indian tribes are, will shun even moderate works which are defended by cannon. Great fortifications will therefore be requisite only in future along the coast and at some points in the interior connected with it. On these will the safety of our towns and the commerce of our great rivers, from the Bay of Fundy to the Mississippi, depend. On these, therefore, should the utmost attention, skill, and labor be bestowed.

A considerable and rapid augmentation in the value of all the public lands, proceeding from these and other obvious causes, may henceforward be expected. The difficulties attending early emigrations will be dissipated even in the most remote parts. Several new States have been admitted into our Union to the west and south, and Territorial governments, happily organized, established over every other portion in which there is vacant land for sale. In terminating Indian hostilities, as must soon be done, in a formidable shape at least, the emigration, which has heretofore been great, will probably increase, and the demand for land and the augmentation in its value be in like proportion. The great increase of our population throughout the Union will alone produce an important effect, and in no quarter will it be so sensibly felt as in those in contemplation. The public lands are a public stock, which ought to be disposed of to the best advantage for the nation. The nation should therefore derive the profit proceeding from the continual rise in their value. Every encouragement should be given to the emigrants consistent with a fair competition between them, but that competition should operate in the first sale to the advantage of the nation rather than of individuals. Great capitalists will derive all the benefit incident to their superior wealth under any mode of sale which may be adopted. But if, looking forward to the rise in the value of the public lands, they should have the opportunity of amassing at a low price vast bodies in their hands, the profit will accrue to them and not to the public. They would also have the power in that degree to control the emigration and settlement in such a manner as their opinion of their respective interests might dictate. I submit this subject to the consideration of Congress, that such further provision may be made in the sale of the public lands, with a view to the public interest, should any be deemed expedient, as in their judgment may be best adapted to the object.

When we consider the vast extent of territory within the United States, the great amount and value of its productions, the connection of its parts, and other circumstances on which their prosperity and happiness depend, we can not fail to entertain a high sense of the advantage to be derived from the facility which may be afforded in the intercourse between them by means of good roads and canals. Never did a country of such vast extent offer equal inducements to improvements of this kind, nor ever were consequences of such magnitude involved in them. As this subject was acted on by Congress at the last session, and there may be a disposition to revive it at the present, I have brought it into view for the purpose of communicating my sentiments on a very important circumstance connected with it with that freedom and candor which a regard for the public interest and a proper respect for Congress require. A difference of opinion has existed from the first formation of our Constitution to the present time among our most enlightened and virtuous citizens respecting the right of Congress to establish such a system of improvement. Taking into view the trust with which I am now honored, it would be improper after what has passed that this discussion should be revived with an uncertainty of my opinion respecting the right. Disregarding early impressions I have bestowed on the subject all the deliberation which its great importance and a just sense of my duty required, and the result is a settled conviction in my mind that Congress do not possess the right. It is not contained in any of the specified powers granted to Congress, nor can I consider it incidental to or a necessary means, viewed on the most liberal scale, for carrying into effect any of the powers which are specifically granted. In communicating this result I can not resist the obligation which I feel to suggest to Congress the propriety of recommending to the States the adoption of an amendment to the Constitution which shall give to Congress the right in question. In cases of doubtful construction, especially of such vital interest, it comports with the nature and origin of our institutions, and will contribute much to preserve them, to apply to our constituents for an explicit grant of the power. We may confidently rely that if it appears to their satisfaction that the power is necessary, it will always be granted.

In this case I am happy to observe that experience has afforded the most ample proof of its utility, and that the benign spirit of conciliation and harmony which now manifests itself throughout our Union promises to such a recommendation the most prompt and favorable result. I think proper to suggest also, in case this measure is adopted, that it be recommended to the States to include in the amendment sought a right in Congress to institute likewise seminaries of learning, for the all-important purpose of diffusing knowledge among our fellow-citizens throughout the United States.

Our manufactories will require the continued attention of Congress. The capital employed in them is considerable, and the knowledge acquired in the machinery and fabric of all the most useful manufactures is of great value. Their preservation, which depends on due encouragement, is connected with the high interests of the nation.

Although the progress of the public buildings has been as favorable as circumstances have permitted, it is to be regretted that the Capitol is not yet in a state to receive you. There is good cause to presume that the two wings, the only parts as yet commenced, will be prepared for that purpose at the next session. The time seems now to have arrived when this subject may be deemed worthy the attention of Congress on a scale adequate to national purposes. The completion of the middle building will be necessary to the convenient accommodation of Congress, of the committees, and various offices belonging to it. It is evident that the other public buildings are altogether insufficient for the accommodation of the several Executive Departments, some of whom are much crowded and even subjected to the necessity of obtaining it in private buildings at some distance from the head of the Department, and with inconvenience to the management of the public business. Most nations have taken an interest and a pride in the improvement and ornament of their metropolis, and none were more conspicuous in that respect than the ancient republics. The policy which dictated the establishment of a permanent residence for the National Government and the spirit in which it was commenced and has been prosecuted show that such improvement was thought worthy the attention of this nation. Its central position, between the northern and southern extremes of our Union, and its approach to the west at the head of a great navigable river which interlocks with the Western waters, prove the wisdom of the councils which established it.

Nothing appears to be more reasonable and proper than that convenient accommodation should be provided on a well-digested plan for the heads of the several Departments and for the Attorney-General, and it is believed that the public ground in the city applied to these objects will be found amply sufficient. I submit this subject to the consideration of Congress, that such further provision may be made in it as to them may seem proper.

In contemplating the happy situation of the United States, our attention is drawn with peculiar interest to the surviving officers and soldiers of our Revolutionary army, who so eminently contributed by their services to lay its foundation. Most of those very meritorious citizens have paid the debt of nature and gone to repose. It is believed that among the survivors there are some not provided for by existing laws, who are reduced to indigence and even to real distress. These men have a claim on the gratitude of their country, and it will do honor to their country to provide for them. The lapse of a few years more and the opportunity will be forever lost; indeed, so long already has been the interval that the number to be benefited by any provision which may be made will not be great.

It appearing in a satisfactory manner that the revenue arising from imposts and tonnage and from the sale of the public lands will be fully adequate to the support of the civil Government, of the present military and naval establishments, including the annual augmentation of the latter to the extent provided for, to the payment of the interest of the public debt, and to the extinguishment of it at the times authorized, without the aid of the internal taxes, I consider it my duty to recommend to Congress their repeal. To impose taxes when the public exigencies require them is an obligation of the most sacred character, especially with a free people. The faithful fulfillment of it is among the highest proofs of their virtue and capacity for self-government. To dispense with taxes when it may be done with perfect safety is equally the duty of their representatives. In this instance we have the satisfaction to know that they were imposed when the demand was imperious, and have been sustained with exemplary fidelity. I have to add that however gratifying it may be to me regarding the prosperous and happy condition of our country to recommend the repeal of these taxes at this time, I shall nevertheless be attentive to events, and, should any future emergency occur, be not less prompt to suggest such measures and burdens as may then be requisite and proper.

JAMES MONROE.

DECEMBER 2, 1817.

SPECIAL MESSAGES.

To the Senate of the United States:

I submit to the Senate, for their consideration and advice, the following treaties entered into with several of the Indian tribes, to wit:

A treaty of peace and friendship made and concluded by William Clark, Ninian Edwards, and Auguste Choteau, commissioners on the part of the United States of America, and the chiefs and warriors of the Menomene tribe or nation of Indians, on the 30th of March, 1817, at St. Louis.

A treaty of peace and friendship made and concluded on the 4th June, 1817, at St. Louis, by William Clark, Ninian Edwards, and Auguste Choteau, commissioners on the part of the United States of America, and the chiefs and warriors of the Ottoes tribe of Indians.

A treaty of peace and friendship made and concluded on the 5th June, 1817, at St. Louis, by William Clark, Ninian Edwards, and Auguste Choteau, commissioners on the part of the United States of America, and the chiefs and warriors of the Poncarar tribe of Indians.

A treaty concluded at the Cherokee Agency on the 8th of July, 1817, between Major-General Andrew Jackson, Joseph McMinn, governor of the State of Tennessee, and General David Meriwether, commissioners of the United States of America, of the one part, and the chiefs, headmen, and warriors of the Cherokee Nation east of the Mississippi River and the chiefs, headmen, and warriors of the Cherokees on the Arkansas River, and their deputies, John D. Chisholm and James Rogers.

A treaty concluded on the 29th day of September, 1817, at the foot of the Rapids of the Miami of Lake Erie, between Lewis Cass and Duncan McArthur, commissioners of the United States, and the sachems, chiefs, and warriors of the Wyandot, Seneca, Delaware, Shawnese, Potawatamies, Ottawas, and Chippewa tribes of Indians.

The Wyandots and other tribes parties to the treaty lately concluded with them have, by a deputation to this city, requested permission to retain possession of such lands as they actually cultivate and reside on, for the ensuing year. They have also expressed a desire that the reservations made in their favor should be enlarged, representing that they had entered into the treaty in full confidence that that would be done, preferring a reliance on the justice of the United States for such extension rather than that the treaty should fail.

The Wyandots claim an extension of their reservation to 16 miles square, and the other tribes in a proportional degree. Sufficient information is not now in the possession of the Executive to enable it to decide how far it may be proper to comply with the wishes of these tribes in the extent desired. The necessary information may be obtained in the course of the next year, and if they are permitted to remain in the possession of the lands they cultivate during that time such further extension of their reservations may be made by law at the next session as justice and a liberal policy toward these people may require. It is submitted to the consideration of the Senate whether it may not be proper to annex to their advice and consent for the ratification of the treaty a declaration providing for the above objects.

JAMES MONROE.

DECEMBER 11, 1817.

WASHINGTON, *December 15, 1817*.

To the House of Representatives of the United States:

In compliance with the resolution of the House of Representatives of the 8th of this month, I transmit, for the information of the House, a report from the Secretary of State, with the documents referred to in it, containing all the information in the possession of the Executive which it is proper to disclose, relative to certain persons who lately took possession of Amelia Island and Galvezton.

JAMES MONROE.

DECEMBER 18, 1817.

To the Senate of the United States:

In compliance with the resolution of the Senate of the 11th of this month, I transmit, for the information of the Senate, a report from the

Secretary of the Treasury, relating to the progress made in surveying the several tracts of military bounty lands appropriated by Congress for the late army of the United States, and the time at which such survey will probably be completed.

JAMES MONROE.

DECEMBER 22, 1817.

To the House of Representatives:

In compliance with a resolution of the House of Representatives of the 11th of this month, requesting to be informed of the present strength of the Army of the United States, its distribution among the several military posts which it is designed to protect, and its competency to preserve and defend the fortifications amongst which it is distributed, and to aid in constructing such other military works, if any, as it may be deemed proper to erect for the more effectual security of the United States and of the Territories thereof, I now transmit a report from the Secretary of War which contains the information desired.

JAMES MONROE.

DECEMBER 29, 1817.

To the Senate of the United States:

In compliance with a resolution of the Senate of the 16th of this month, requesting information touching the execution of so much of the first article of the treaty of Ghent as relates to the restitution of slaves, which has not heretofore been communicated, I now transmit a report of the Secretary of State on that subject.

JAMES MONROE.

DECEMBER 29, 1817.

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives of the 12th of this month, requesting to be informed whether any, and which, of the Representatives in a list thereto annexed have held offices since the 4th of March last, designating the offices, the times of appointment and acceptance, and whether they were at that time so held or when they had been resigned, I now transmit a report from the Secretary of State which contains the information desired.

JAMES MONROE.

WASHINGTON, *January 12, 1818.*

To the Senate and House of Representatives of the United States:

The claim of the representatives of the late Caron de Beaumarchais having been recommended to the favorable consideration of the Legislature by my predecessor in his message to Congress of the 31st of January last, and concurring in the sentiments therein expressed, I now transmit copies of a new representation relative to it received by the Secretary of State from the minister of France, and of a correspondence on the subject between the minister of the United States at Paris and the Duke of Richelieu, inclosed with that representation.

JAMES MONROE.

To the Senate and House of Representatives of the United States:

I have the satisfaction to inform Congress that the establishment at Amelia Island has been suppressed, and without the effusion of blood. The papers which explain this transaction I now lay before Congress.

By the suppression of this establishment and of that at Galveztown, which will soon follow, if it has not already ceased to exist, there is good cause to believe that the consummation of a project fraught with much injury to the United States has been prevented.

When we consider the persons engaged in it, being adventurers from different countries, with very few, if any, of the native inhabitants of the Spanish colonies; the territory on which the establishments were made—one on a portion of that claimed by the United States westward of the Mississippi, the other on a part of East Florida, a Province in negotiation between the United States and Spain; the claim of their leader as announced by his proclamation on taking possession of Amelia Island, comprising the whole of both the Floridas, without excepting that part of West Florida which is incorporated into the State of Louisiana; their conduct while in the possession of the island making it instrumental to every species of contraband, and, in regard to slaves, of the most odious and dangerous character, it may fairly be concluded that if the enterprise had succeeded on the scale on which it was formed much annoyance and injury would have resulted from it to the United States.

Other circumstances were thought to be no less deserving of attention. The institution of a government by foreign adventurers in the island, distinct from the colonial governments of Buenos Ayres, Venezuela, or Mexico, pretending to sovereignty and exercising its highest offices, particularly in granting commissions to privateers, were acts which could not fail to draw after them the most serious consequences. It was the duty of the Executive either to extend to this establishment all the advantages of that neutrality which the United States had proclaimed, and have observed in favor of the colonies of Spain who, by the strength of their own population and resources, had declared their independence and were affording strong proof of their ability to maintain it, or of making the discrimination which circumstances required.

Had the first course been pursued, we should not only have sanctioned all the unlawful claims and practices of this pretended Government in regard to the United States, but have countenanced a system of privateering in the Gulf of Mexico and elsewhere the ill effects of which might, and probably would, have been deeply and very extensively felt.

The path of duty was plain from the commencement, but it was painful to enter upon it while the obligation could be resisted. The law of 1811, lately published, and which it is therefore proper now to mention, was considered applicable to the case from the moment that the proclamation of the chief of the enterprise was seen, and its obligation was daily increased by other considerations of high importance already mentioned, which were deemed sufficiently strong in themselves to dictate the course which has been pursued.

Early intimation having been received of the dangerous purposes of these adventurers, timely precautions were taken by the establishment of a force near the St. Marys to prevent their effect, or it is probable that it would have been more sensibly felt.

To such establishments, made so near to our settlements in the expectation of deriving aid from them, it is particularly gratifying to find that very little encouragement was given. The example so conspicuously displayed by our fellow-citizens that their sympathies can not be perverted to improper purposes, but that a love of country, the influence of moral principles, and a respect for the laws are predominant with them, is a sure pledge that all the very flattering anticipations which have been formed of the success of our institutions will be realized. This example has proved that if our relations with foreign powers are to be changed it must be done by the constituted authorities, who alone, acting on a high responsibility, are competent to the purpose, and until such change is thus made that our fellow-citizens will respect the existing relations by a faithful adherence to the laws which secure them.

Believing that this enterprise, though undertaken by persons some of whom may have held commissions from some of the colonies, was unauthorized by and unknown to the colonial governments, full confidence is entertained that it will be disclaimed by them, and that effectual measures will be taken to prevent the abuse of their authority in all cases to the injury of the United States.

For these injuries, especially those proceeding from Amelia Island, Spain would be responsible if it was not manifest that, though committed in the latter instance through her territory, she was utterly unable to prevent them. Her territory, however, ought not to be made instrumental, through her inability to defend it, to purposes so injurious to the United States. To a country over which she fails to maintain her authority, and which she permits to be converted to the annoyance of her neighbors, her jurisdiction for the time necessarily ceases to exist. The territory of Spain will nevertheless be respected so far as it may be done consistently with the essential interests and safety of the United States. In expelling these adventurers from these posts it was not intended to make any conquest from Spain or to injure in any degree the cause of the colonies. Care will be taken that no part of the territory contemplated by the law of 1811 shall be occupied by a foreign government of any kind, or that injuries of the nature of those complained of shall be repeated; but this, it is expected, will be provided for with every other interest in a spirit of amity in the negotiation now depending with the Government of Spain.

JAMES MONROE.

JANUARY 13, 1818.

WASHINGTON, *January 23, 1818.*

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives of the 9th of December last, requesting information of what roads have been made or are in progress under the authority of the Executive of the United States, the States and Territories through which they pass or are intended to pass, the periods when they were ordered to be made, and how far they have been executed, I now communicate a report from the Secretary of the Treasury, and likewise a report from the Secretary of War, containing the information which is desired.

JAMES MONROE.

WASHINGTON, *January 28, 1818.*

To the Senate of the United States:

In compliance with a resolution of the Senate of the 22d of this month, requesting to be informed "in what manner the troops in the service of the United States now operating against the Seminole tribe of Indians have been subsisted, whether by contract or otherwise, and whether they have been furnished regularly with rations," I now transmit a report from the Secretary of War containing the information required.

JAMES MONROE.

WASHINGTON, *January 29, 1818.*

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives of the 23d of December last, requesting information relative to the imprisonment and detention in confinement of Richard W. Meade, a citizen of the United States, I now transmit to the House a report from the Secretary of State containing the information required.

JAMES MONROE.

To the Senate of the United States:

In compliance with a resolution of the Senate of the 8th of last month, requesting me to cause to be laid before it the proceedings which may have been had under an act entitled "An act for the gradual increase of the Navy of the United States," specifying the number of ships put on the stocks and of what class; the quantity of materials procured for shipbuilding, and also the sums of money which may have been paid out of the fund created by said act, and for what objects; and likewise the contracts which may have been entered into in execution of the act aforesaid on which moneys may not yet have been advanced, I now transmit a report of the Secretary of the Navy, accompanied by a report from the Board of Commissioners of the Navy, with documents which contain the information desired.

JAMES MONROE.

FEBRUARY 2, 1818

WASHINGTON, *February 6, 1818.*

To the House of Representatives of the United States:

I transmit to the House of Representatives a report of the Secretary of State, in compliance with the resolution of said House requesting information respecting the ratification of the thirteenth article of the amendments to the Constitution of the United States.

JAMES MONROE.

WASHINGTON, *February 10, 1818.*

To the Senate and House of Representatives of the United States:

As the house appropriated for the President of the United States will be finished this year, it is thought to merit the attention of the Congress in what manner it should be furnished and what measures ought to be adopted for the safe-keeping of the furniture in future. All the public furniture provided before 1814 having been destroyed with the public buildings in that year, and little afterwards procured, owing to the inadequacy of the appropriation, it has become necessary to provide almost every article requisite for such an establishment, whence the sum to be expended will be much greater than at any former period. The furniture in its kind and extent is thought to be an object not less deserving attention than the building for which it is intended. Both being national objects, each seems to have an equal claim to legislative sanction. The disbursement of the public money, too, ought, it is presumed, to be in like manner provided for by law. The person who may happen to be placed by the suffrage of his fellow-citizens in the high trust, having no personal interest in these concerns, should be exempted from undue responsibility respecting them.

For a building so extensive, intended for a purpose exclusively national, in which in the furniture provided for it a mingled regard is due to the simplicity and purity of our institutions and to the character of the people who are represented in it, the sum already appropriated has proved altogether inadequate. The present is therefore a proper time for Congress to take the subject into consideration, with a view to all the objects claiming attention, and to regulate it by law. On a knowledge of the furniture procured and the sum expended for it a just estimate may be formed regarding the extent of the building of what will still be wanting to furnish the house. Many of the articles, being of a durable nature, may be handed down through a long series of service, and being of great value, such as plate, ought not to be left altogether and at all times to the care of servants alone. It seems to be advisable that a public agent should be charged with it during the occasional absences of the President, and have authority to transfer it from one President to another, and likewise to make reports of occasional deficiencies, as the basis on which further provision should be made.

It may also merit consideration whether it may not be proper to commit the care of the public buildings, particularly the President's house and the Capitol, with the grounds belonging to them, including likewise the furniture of the latter, in a more special manner to a public agent. Hitherto the charge of this valuable property seems to have been connected with the structure of the buildings and committed to those employed in it. This guard will necessarily cease when the buildings are finished, at which time the interest in them will be proportionably augmented. It is presumed that this trust is, in a certain degree at least, incidental to the other duties of the superintendent of the public buildings, but it may merit consideration whether it will not be proper to charge him with it more explicitly, and to give him authority to employ one or more persons under him for these purposes.

JAMES MONROE.

WASHINGTON, *February 12, 1818.*

To the Senate and House of Representatives:

I lay before the House of Representatives copies of two communications received at the Department of State from the minister of Great Britain, and submit to their consideration the propriety of making such legislative provisions as may be necessary for a compliance with the representations contained in them.

By the express terms of that compact it was, when ratified by the two Governments, to be in force for the term of four years *from the day of its signature*. The revocation of all the discriminating duties became, therefore, the obligation of both Governments *from that day*, and it is conceived that every individual who has been required to pay, and who has paid, any of the extra duties revoked by the convention has a just and lawful claim upon the respective Governments for its return. From various accidents it has happened that both here and in Great Britain the cessation of the extra duties has been fixed to commence at different times. It is desirable that Congress should pass an act providing for the return of *all* the extra duties *incompatible with the terms of the convention* which have been levied upon British vessels or merchandise after the 3d of July, 1815. The British Parliament have already set the example of fixing that day for the cessation of the extra duties of export by their act of 30th of June last, and the minister of the United States in London is instructed to require the extension of the same principle to *all* the extra duties levied on vessels and merchandise of the United States in the ports of Great Britain since that day. It is not doubted that the British Government will comply with this requisition, and that the act suggested may be passed by Congress with full confidence that the reciprocal measure will receive the sanction of the British Parliament.

JAMES MONROE.

WASHINGTON, *February 23, 1818.*

To the Senate of the United States:

In compliance with a resolution of the Senate requesting me to cause to be laid before them a statement of all the arms and accouterments which have been manufactured at the different armories of the United States, with the cost of each stand, and the number delivered to each State, respectively, under the act for arming the whole body of militia, I now transmit a report from the Secretary of War, with the documents marked A, B, and C, which, together with a report to him from the Ordnance Department, contains the information required.

JAMES MONROE.

WASHINGTON, *February 23, 1818.*

To the Senate of the United States:

In compliance with a resolution of the Senate of the 19th of January, 1818, requesting information of measures which have been taken in pursuance of so much of the act to authorize the appointment of a surveyor for lands in the northern part of the Mississippi Territory, passed the 3d of March, 1817, as relates to the reservation of certain sections for the purpose of laying out and establishing towns thereon, I now transmit a report from the Secretary of the Treasury, which, with the letters and charts referred to in it, contains all the information which is desired.

JAMES MONROE.

WASHINGTON, *February 25, 1818.*

To the Senate and House of Representatives of the United States:

The commissioners of the two Governments, under the fourth article of the treaty of Ghent, having come to a decision upon the questions submitted to them, I lay before Congress copies of that decision, together with copies of the declaration signed and reported by the commissioners of this Government.

JAMES MONROE.

FEBRUARY 27, 1818.

To the House of Representatives of the United States:

I communicate herewith to the House of Representatives a copy of a letter from the governor of the State of South Carolina to the Secretary of State, together with extracts from the journals of proceedings in both branches of the legislature of that Commonwealth, relative to a proposed amendment of the Constitution, which letter and extracts are connected with the subject of my communication to the House of the 6th instant.

JAMES MONROE.

WASHINGTON, *February 28, 1818.*

To the House of Representatives of the United States:

I lay before the House a report from the Secretary of State, together with the papers relating to the claims of merchants of the United States upon the Government of Naples, in conformity with the resolution of the House of the 30th January last.

JAMES MONROE.

WASHINGTON, *March 11, 1818.*

To the Senate of the United States:

In compliance with a resolution of the Senate requesting information respecting the requisitions that were made on the contractors between the 1st of June and the 24th of December, 1817, for deposits of provisions in advance at the several posts on the frontiers of Georgia and the adjoining territory, their conduct in compliance therewith, the amount of money advanced to B. G. Orr, and the extent of his failure, with a copy of the articles of contract entered into with him, I now lay before the Senate a report from the Secretary of War, which, with the documents accompanying it, will afford the information desired.

JAMES MONROE.

WASHINGTON, *March 14, 1818.*

To the Senate and House of Representatives of the United States:

In compliance with a resolution of the Senate of the 16th of December and of the House of Representatives of the 24th of February last, I lay before Congress a report of the Secretary of State, and the papers referred to in it, respecting the negotiation with the Government of Spain. To explain fully the nature of the differences between the United States and Spain and the conduct of the parties it has been found necessary to go back to an early epoch. The recent correspondence, with the documents accompanying it, will give a full view of the whole subject, and place the conduct of the United States in every stage and under every circumstance, for justice, moderation, and a firm adherence to their rights, on the high and honorable ground which it has invariably sustained.

JAMES MONROE.

WASHINGTON, *March 16, 1818.*

To the Senate of the United States:

In compliance with a resolution of the Senate of the United States of the 31st of December last, requesting the President to cause to be laid before them a statement of the proceedings which may have been had under the act of Congress passed on the 3d March, 1817, entitled "An act to set apart and dispose of certain public lands for the encouragement and cultivation of the vine and olive," I now transmit a report from the Secretary of the Treasury, containing all the information possessed by the Executive relating to the proceedings under the said act.

JAMES MONROE.

WASHINGTON, *March 16, 1818.*

To the Senate of the United States:

In compliance with a resolution of the Senate of the United States of the 3d of February last, requesting the President to cause to be laid before them "a statement of the progress made under the act to provide for surveying the coast of the United States, passed February 10, 1807, and any subsequent acts on the same subject, and the expenses incurred thereby," I transmit a report from the Secretary of the Treasury containing the information required.

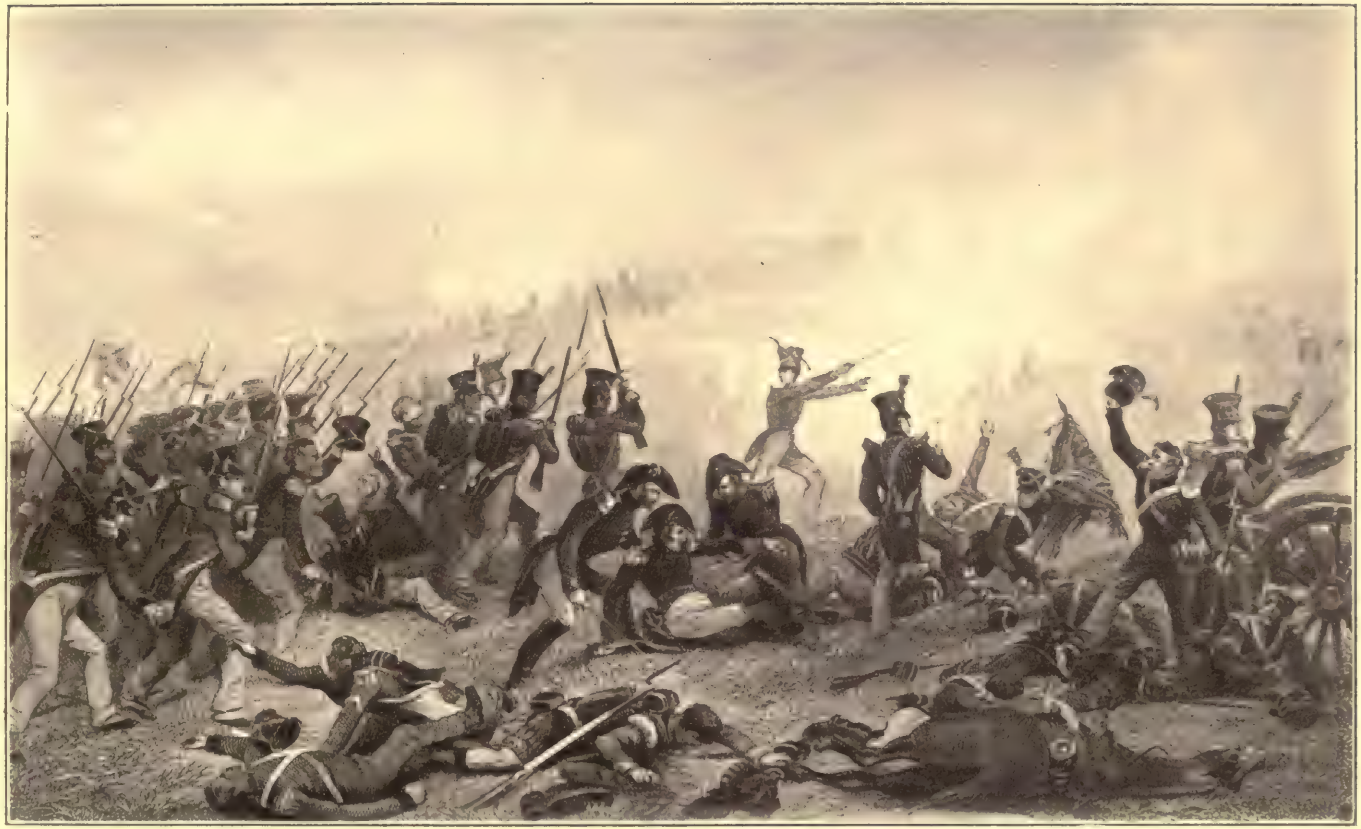
JAMES MONROE.

MARCH 19, 1818.

To the Senate and House of Representatives of the United States:

In the course of the last summer a negotiation was commenced with the Government of the Netherlands with a view to the revival and modification of the commercial treaty existing between the two countries, adapted to their present circumstances.

The report from the Secretary of State which I now lay before Congress will show the obstacles which arose in the progress of the conferences between the respective plenipotentiaries, and which resulted in the agreement between them then to refer the subject to the consideration of their respective Governments. As the difficulties appear to be of a nature which may, perhaps, for the present be more easily removed by reciprocal legislative regulations, formed in the spirit of amity and conciliation, than by conventional stipulations, Congress may think it advisable to leave the subsisting treaty in its present state, and to meet the liberal exemption from discriminating tonnage duties which has been conceded in the Netherlands to the vessels of the United States by a similar exemption to the vessels of the Netherlands which have arrived, or may hereafter arrive, in our ports, commencing from the time when the exemption was granted to the vessels of the United States. I would further recommend to the consideration of Congress the expediency of extending the



THE BATTLE OF LUNDY'S LANE

BATTLE OF LUNDY'S LANE

July 25, 1814

After this engagement both parties left the field, and so both claimed the victory. It was fought by 2500 Americans under Gen. Scott, and 4500 British under Gen. Brown. At about sunset, Scott, with a reconnoitering party of 1200, collided with the British on a road called Lundy's Lane, which led from Niagara Falls to the end of Lake Ontario. The whole American force then rushed into the conflict, which continued until midnight. Though the British abandoned their artillery, baggage and ammunition, the Americans could not move it in the night, and when they returned for it at daybreak it was too strongly defended to be taken.

The British lost 84 killed, 559 wounded, 193 missing, and 42 prisoners,—878 all told, out of 4500. The Americans lost 171 killed, 571 wounded, and 110 missing,—a total of 852 out of 2500.

See the article entitled "Lundy's Lane, Battle of," in the Encyclopedic Index.

benefit of the same regulation, to commence from the passage of the law, to the vessels of Russia, Hamburg, and Bremen, and of making it prospectively general in favor of every nation in whose ports the vessels of the United States are admitted on the same footing as their own.

JAMES MONROE.

WASHINGTON, *March 23, 1818.*

To the Senate of the United States:

I lay before the Senate a report from the Secretary of the Navy, with the estimate of the expense which will be incurred by the establishment of two dockyards for repairing vessels of the largest size.

JAMES MONROE.

WASHINGTON, *March 25, 1818.*

To the Senate and House of Representatives of the United States:

I now lay before Congress all the information in the possession of the Executive respecting the war with the Seminoles, and the measures which it has been thought proper to adopt for the safety of our fellow-citizens on the frontier exposed to their ravages. The inclosed documents show that the hostilities of this tribe were unprovoked, the offspring of a spirit long cherished and often manifested toward the United States, and that in the present instance it was extending itself to other tribes and daily assuming a more serious aspect. As soon as the nature and object of this combination were perceived the major-general commanding the Southern division of the troops of the United States was ordered to the theater of action, charged with the management of the war and vested with the powers necessary to give it effect. The season of the year being unfavorable to active operations, and the recesses of the country affording shelter to these savages in case of retreat, may prevent a prompt termination of the war; but it may be fairly presumed that it will not be long before this tribe and its associates receive the punishment which they have provoked and justly merited.

As almost the whole of this tribe inhabits the country within the limits of Florida, Spain was bound by the treaty of 1795 to restrain them from committing hostilities against the United States. We have seen with regret that her Government has altogether failed to fulfill this obligation, nor are we aware that it made any effort to that effect. When we consider her utter inability to check, even in the slightest degree, the movements of this tribe by her very small and incompetent force in Florida, we are not disposed to ascribe the failure to any other cause. The inability, however, of Spain to maintain her authority over the territory and Indians within her limits, and in consequence to fulfill the treaty, ought not to expose the United States to other and greater injuries. When the authority of Spain ceases to exist there, the United States have a right to pursue their enemy on a principle of self-defense. In this instance the right is more complete and obvious because we shall perform only what Spain was bound to have performed herself. To the high obligations and privileges of this great and sacred right of self-defense will the movement of our troops be strictly confined. Orders have been given to the general in command not to enter Florida unless it be in pursuit of the enemy, and in that case to respect the Spanish authority wherever it is maintained; and he will be instructed to withdraw his forces from the Province as soon as he shall have reduced that tribe to order, and secure our fellow-citizens in that quarter by satisfactory arrangements against its unprovoked and savage hostilities in future.

JAMES MONROE.

WASHINGTON, *March 25, 1818.*

To the House of Representatives of the United States:

In conformity with the resolution of the House of Representatives of the 5th of December last, I now transmit a report of the Secretary of State, with a copy of the documents which it is thought proper to communicate relating to the independence and political condition of the Provinces of Spanish America.

JAMES MONROE.

WASHINGTON, *March 26, 1818.*

To the House of Representatives of the United States:

I transmit to the House of Representatives, in compliance with their resolution of March 20, such information not heretofore communicated as is in the possession of the Executive relating to the occupation of Amelia Island. If any doubt had before existed of the improper conduct of the persons who authorized and of those who were engaged in the invasion and previous occupancy of that island, of the unfriendly spirit toward the United States with which it was commenced and prosecuted, and of its injurious effect on their highest interests, particularly by its tendency to compromit them with foreign powers in all the unwarrantable acts of the adventurers, it is presumed that these documents would remove it. It appears by the letter of Mr. Pazos, agent of Commodore Aury, that the project of seizing the Floridas was formed and executed at a time when it was understood that Spain had resolved to cede them to the United States, and to prevent such cession from taking effect. The whole proceeding in every stage and circumstance was unlawful. The commission to General M'Gregor was granted at Philadelphia in direct violation of a positive law, and all the measures pursued under it by him in collecting his force and directing its movements were equally unlawful. With the conduct of these persons I have always been unwilling to connect any of the colonial governments, because I never could believe that they had given their sanction either to the project in its origin or to the measures which were pursued in the execution of it. These documents confirm the opinion which I have invariably entertained and expressed in their favor.

JAMES MONROE.

WASHINGTON, *March 28, 1818.*

To the Senate of the United States:

In compliance with a resolution of the Senate relative to the pensioners of the United States, the sum annually paid to each, and the States or Territories in which said pensioners are respectively paid, I now transmit a report from the Secretary of War, which, with documents marked A and B, contains all the information required.

JAMES MONROE.

APRIL 6, 1818.

To the Senate of the United States:

An arrangement having been made and concluded between this Government and that of Great Britain with respect to the naval armament of the two Governments, respectively, on the Lakes, I lay before the Senate a copy of the correspondence upon that subject, including the stipulations mutually agreed upon by the two parties. I submit it to the consideration of the Senate whether this is such an arrangement as the Executive is competent to enter into by the powers vested in it by the Constitution, or is such an one as requires the advice and consent of the Senate, and, in the latter case, for their advice and consent should it be approved.

JAMES MONROE.

WASHINGTON, *April 9, 1818.*

To the Senate of the United States:

In compliance with the resolution of the Senate requesting me to cause to be laid before them a list of the names of the several agents of Indian affairs and of agents of Indian trading houses, with the pay and emolument of the agents, respectively, I now transmit a report from the Secretary of War, which contains the information required.

JAMES MONROE.

APRIL 10, 1818.

To the Senate of the United States:

In compliance with a resolution of the Senate respecting the supplies of the Northwestern army, within certain periods therein specified, by contractors, commissaries, and agents, and the expense thereby incurred, I now transmit to them a report from the Secretary of War, which, with the documents accompanying it, will afford the information required.

JAMES MONROE.

WASHINGTON, *April 15, 1818.*

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives of the 10th instant, relative to the capture and imprisonment of certain persons, citizens of the United States, therein specifically mentioned, I now transmit a report from the Secretary of State, which, with the documents accompanying it, embraces the objects contemplated by the said resolution.

JAMES MONROE.

WASHINGTON, *April 20, 1818.*

To the Senate of the United States:

I transmit to the Senate a copy of the rules, regulations, and instructions for the naval service of the United States, prepared by the Board of Navy Commissioners in obedience to an act of Congress passed 7th of February, 1815, entitled "An act to alter and amend the several acts for establishing a Navy Department by adding thereto a Board of Commissioners."

JAMES MONROE.

PROCLAMATIONS.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas by an act of the lieutenant-governor, council, and assembly of his Britannic Majesty's Province of Nova Scotia, passed in the year 1816, it was, among other things, enacted that from and after the 1st day of May of that year "no plaster of paris, otherwise called gypsum, which should be laden or put on board any ship or vessel at any port or place within the limits of the said Province to be transported from thence to any other port or place within or without the said limits should, directly or indirectly, be unladen or landed or put on shore at any port or place in the United States of America eastward of Boston, in the State of Massachusetts, nor unladen or put on board any American ship, vessel, boat, or shallop of any description at any port or place eastward of Boston aforesaid, under the penalty of the forfeiture of every such ship or vessel from which any such plaster of paris, or gypsum, should be unladen contrary to the provision of the said act, together with her boats, tackle, apparel, and furniture, to be seized and prosecuted in the manner therein-after mentioned;" and

Whereas by an act of the Congress of the United States passed on th

3d day of March, 1817, it was enacted that from and after the 4th day of July then next no plaster of paris the production of any country or its dependencies from which the vessels of the United States were not permitted to bring the same article should be imported into the United States in any foreign vessel, and that all plaster of paris imported or attempted to be imported into the United States contrary to the true intent and meaning of the said act of Congress, and the vessel in which the same might be imported or attempted to be imported, together with the cargo, tackle, apparel, and furniture, should be forfeited to the United States and liable to be seized, prosecuted, and condemned in the manner therein prescribed; and

Whereas by the said act of Congress it was further enacted that the same should continue and be in force five years from January 31, 1817; provided, nevertheless, that if any foreign nation or its dependencies which at the time of the passage of the said act of Congress had in force regulations on the subject of the trade in plaster of paris prohibiting the exportation thereof to certain ports of the United States should discontinue such regulations, the President of the United States was thereby authorized to declare that fact by his proclamation, and the restrictions imposed by the said act of Congress should from the date of such proclamation cease and be discontinued in relation to the nation or its dependencies discontinuing such regulations; and

Whereas an act of the lieutenant-governor, council, and assembly of His Britannic Majesty's Province of Nova Scotia, repealing the abovementioned act of the said Province, passed in the year 1816, has been officially communicated by his said Majesty's envoy extraordinary and minister plenipotentiary to this Government; and

Whereas by the said repealing act of the said Province of Nova Scotia, one of the dependencies of the United Kingdom of Great Britain and Ireland, the regulations at the time of the passage of the said act of Congress in force in the said Province on the subject of the trade in plaster of paris, prohibiting the exportation thereof to certain ports of the United States, have been and are discontinued:

Now, therefore, I, James Monroe, President of the United States of America, do by this my proclamation declare that fact, and that the restrictions imposed by the said act of Congress do from the date hereof cease and are discontinued in relation to His Britannic Majesty's said Province of Nova Scotia.

Given under my hand, at the city of Washington, this 23d day of April, A. D. 1818, and in the forty-second year of the Independence of the United States.

JAMES MONROE.

By the President:
JOHN QUINCY ADAMS,
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas an arrangement was entered into at the city of Washington in the month of April, A. D. 1817, between Richard Rush, esq., at that time acting as Secretary for the Department of State of the United States, for and in behalf of the Government of the United States, and the Right Honorable Charles Bagot, His Britannic Majesty's envoy extraordinary and minister plenipotentiary, for and in behalf of His Britannic Majesty, which arrangement is in the words following, to wit:

> The naval force to be maintained upon the American lakes by His Majesty and the Government of the United States shall henceforth be confined to the following vessels on each side; that is—
>
> On Lake Ontario, to one vessel not exceeding 100 tons burden and armed with one 18-pound cannon.
>
> On the upper lakes, to two vessels not exceeding like burden each and armed with like force.
>
> On the waters of Lake Champlain, to one vessel not exceeding like burden and armed with like force.
>
> All other armed vessels on these lakes shall be forthwith dismantled, and no other vessels of war shall be there built or armed.
>
> If either party should hereafter be desirous of annulling this stipulation, and should give notice to that effect to the other party, it shall cease to be binding after the expiration of six months from the date of such notice.
>
> The naval force so to be limited shall be restricted to such services as will in no respect interfere with the proper duties of the armed vessels of the other party.

And whereas the Senate of the United States have approved of the said arrangement and recommended that it should be carried into effect, the same having also received the sanction of His Royal Highness the Prince Regent, acting in the name and on the behalf of His Britannic Majesty:

Now, therefore, I, James Monroe, President of the United States, do by this my proclamation make known and declare that the arrangement aforesaid and every stipulation thereof has been duly entered into, concluded, and confirmed, and is of full force and effect.

Given under my hand, at the city of Washington, this 28th day of April, A. D. 1818, and of the Independence of the United States the forty-second.

JAMES MONROE.

By the President:

JOHN QUINCY ADAMS,
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES.

A PROCLAMATION.

Whereas it appears by a proclamation of the lieutenant-governor of His Britannic Majesty's Province of New Brunswick bearing date the 10th day of April last, and officially communicated by his envoy extraordinary and minister plenipotentiary residing in the United States to this Government, that the regulations on the subject of the trade in plaster of paris, prohibiting the exportation thereof to certain ports of the United States, which were in force in the said Province at the time of the enactment of the act of the Congress of the United States entitled "An act to regulate the trade in plaster of paris," passed on the 3d day of March, 1817, have been and are discontinued:

Now, therefore, I, James Monroe, President of the United States, do hereby declare that fact, and that the restrictions imposed by the said act of Congress shall from the date hereof cease and be discontinued in relation to the said Province of New Brunswick.

Given under my hand, at the city of Washington, this 4th day of July, A. D. 1818, and in the forty-third year of the Independence of the United States.

JAMES MONROE.

By the President:

JOHN QUINCY ADAMS,
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES.

A PROCLAMATION.

Whereas by an act of the Congress of the United States of the 3d of March, 1815, so much of the several acts imposing duties on the ships and vessels and on goods, wares, and merchandise imported into the United States as imposed a discriminating duty of tonnage between foreign vessels and vessels of the United States and between goods imported into the United States in foreign vessels and vessels of the United States were repealed so far as the same respected the produce or manufacture of the nation to which such foreign ship or vessel might belong, such repeal to take effect in favor of any foreign nation whenever the President of the United States should be satisfied that the discriminating or countervailing duties of such foreign nation so far as they operate to the disadvantage of the United States have been abolished; and

Whereas satisfactory proof has been received by me from the burgomasters and senators of the free and Hanseatic city of Bremen that from and after the 12th day of May, 1815, all discriminating or countervailing duties of the said city so far as they operated to the disadvantage of the United States have been and are abolished:

Now, therefore, I, James Monroe, President of the United States of America, do hereby declare and proclaim that so much of the several acts imposing duties on the tonnage of ships and vessels and on goods, wares, and merchandise imported into the United States as imposed a discriminating duty of tonnage between vessels of the free and Hanseatic city of Bremen and vessels of the United States and between goods imported into the United States in vessels of Bremen and vessels of the United States are repealed so far as the same respect the produce or manufacture of the said free Hanseatic city of Bremen.

Given under my hand, at the city of Washington, this 24th day of July, A. D. 1818, and the forty-third year of the Independence of the United States.

JAMES MONROE.

By the President:

JOHN QUINCY ADAMS,
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES.

A PROCLAMATION.

Whereas by an act of the Congress of the United States of the 3d of March, 1815, so much of the several acts imposing duties on the ships and vessels and on goods, wares, and merchandise imported into the United States as imposed a discriminating duty of tonnage between foreign vessels and vessels of the United States and between goods imported into the United States in foreign vessels and vessels of the United States were repealed so far as the same respected the produce or manufacture of the nation to which such foreign ship or vessel might belong, such repeal to take effect in favor of any foreign nation whenever the President of the United States should be satisfied that the discriminating or countervailing duties of such foreign nation so far as they operate to the disadvantage of the United States have been abolished; and

Whereas satisfactory proof has been received by me from the burgomasters and senators of the free and Hanseatic city of Hamburg that from and after the 13th day of November, 1815, all discriminating and countervailing duties of the said city so far as they operated to the disadvantage of the United States have been and are abolished:

Now, therefore, I, James Monroe, President of the United States of America, do hereby declare and proclaim that so much of the several acts imposing duties on the tonnage of ships and vessels and on goods, wares, and merchandise imported into the United States as imposed a discriminating duty of tonnage between vessels of the free and Hanseatic city of Hamburg and vessels of the United States and between goods imported into the United States in vessels of Hamburg and vessels of the United States are repealed so far as the same respect the produce or manufacture of the said free Hanseatic city of Hamburg.

Given under my hand, at the city of Washington, this 1st day of August, A. D. 1818, and the forty-third year of the Independence of the United States.

JAMES MONROE.

By the President:

JOHN QUINCY ADAMS,
Secretary of State.

SECOND ANNUAL MESSAGE.

NOVEMBER 16, 1818.

Fellow-Citizens of the Senate and of the House of Representatives:

The auspicious circumstances under which you will commence the duties of the present session will lighten the burdens inseparable from the high trust committed to you. The fruits of the earth have been unusually abundant, commerce has flourished, the revenue has exceeded the most favorable anticipation, and peace and amity are preserved with foreign nations on conditions just and honorable to our country. For these inestimable blessings we can not but be grateful to that Providence which watches over the destiny of nations.

As the term limited for the operation of the commercial convention with Great Britain will expire early in the month of July next, and it was deemed important that there should be no interval during which that portion of our commerce which was provided for by that convention should not be regulated, either by arrangement between the two Governments or by the authority of Congress, the minister of the United States at London was instructed early in the last summer to invite the attention of the British Government to the subject, with a view to that object. He was instructed to propose also that the negotiation which it was wished to open might extend to the general commerce of the two countries, and to every other interest and unsettled difference between them particularly those relating to impressment, the fisheries, and boundaries, in the hope that an arrangement might be made on principles of reciprocal advantage which might comprehend and provide in a satisfactory manner for all these high concerns. I have the satisfaction to state that the proposal was received by the British Government in the spirit which prompted it, and that a negotiation has been opened at London embracing all these objects. On full consideration of the great extent and magnitude of the trust it was thought proper to commit it to not less than two of our distinguished citizens, and in consequence the envoy extraordinary and minister plenipotentiary of the United States at Paris has been associated with our envoy extraordinary and minister plenipotentiary at London, to both of whom corresponding instructions have been given, and they are now engaged in the discharge of its duties. It is proper to add that to prevent any inconvenience resulting from the delay incident to a negotiation on so many important subjects it was agreed before entering on it that the existing convention should be continued for a term not less than eight years.

Our relations with Spain remain nearly in the state in which they were at the close of the last session. The convention of 1802, providing for the adjustment of a certain portion of the claims of our citizens for injuries sustained by spoliation, and so long suspended by the Spanish

Government, has at length been ratified by it, but no arrangement has yet been made for the payment of another portion of like claims, not less extensive or well founded, or for other classes of claims, or for the settlement of boundaries. These subjects have again been brought under consideration in both countries, but no agreement has been entered into respecting them. In the meantime events have occurred which clearly prove the ill effect of the policy which that Government has so long pursued on the friendly relations of the two countries, which it is presumed is at least of as much importance to Spain as to the United States to maintain. A state of things has existed in the Floridas the tendency of which has been obvious to all who have paid the slightest attention to the progress of affairs in that quarter. Throughout the whole of those Provinces to which the Spanish title extends the Government of Spain has scarcely been felt. Its authority has been confined almost exclusively to the walls of Pensacola and St. Augustine, within which only small garrisons have been maintained. Adventurers from every country, fugitives from justice, and absconding slaves have found an asylum there. Several tribes of Indians, strong in the number of their warriors, remarkable for their ferocity, and whose settlements extend to our limits, inhabit those Provinces. These different hordes of people, connected together, disregarding on the one side the authority of Spain, and protected on the other by an imaginary line which separates Florida from the United States, have violated our laws prohibiting the introduction of slaves, have practiced various frauds on our revenue, and committed every kind of outrage on our peaceable citizens which their proximity to us enabled them to perpetrate. The invasion of Amelia Island last year by a small band of adventurers, not exceeding 150 in number, who wrested it from the inconsiderable Spanish force stationed there, and held it several months, during which a single feeble effort only was made to recover it, which failed, clearly proves how completely extinct the Spanish authority had become, as the conduct of those adventurers while in possession of the island as distinctly shows the pernicious purposes for which their combination had been formed.

This country had, in fact, become the theater of every species of lawless adventure. With little population of its own, the Spanish authority almost extinct, and the colonial governments in a state of revolution, having no pretension to it, and sufficiently employed in their own concerns, it was in a great measure derelict, and the object of cupidity to every adventurer. A system of buccaneering was rapidly organizing over it which menaced in its consequences the lawful commerce of every nation, and particularly of the United States, while it presented a temptation to every people, on whose seduction its success principally depended. In regard to the United States, the pernicious effect of this unlawful combination was not confined to the ocean; the Indian tribes have constituted the effective force in Florida. With these tribes these adventurers had formed at an early period a connection with a view to avail themselves of that force to promote their own projects of accumulation and aggrandizement. It is to the interference of some of these adventurers, in misrepresenting the claims and titles of the Indians to land and in practicing on their savage propensities, that the Seminole war is principally to be traced. Men who thus connect themselves with savage communities and stimulate them to war, which is always attended on their part with acts of barbarity the most shocking, deserve to be viewed in a worse light than the savages. They would certainly have no claim to an immunity from the punishment which, according to the rules of warfare practiced by the savages, might justly be inflicted on the savages themselves.

If the embarrassments of Spain prevented her from making an indemnity to our citizens for so long a time from her treasury for their losses by spoliation and otherwise, it was always in her power to have provided it by the cession of this territory. Of this her Government has been repeatedly apprised, and the cession was the more to have been anticipated as Spain must have known that in ceding it she would in effect cede what had become of little value to her, and would likewise relieve herself from the important obligation secured by the treaty of 1795 and all other compromitments respecting it. If the United States, from consideration of these embarrassments, declined pressing their claims in a spirit of hostility, the motive ought at least to have been duly appreciated by the Government of Spain. It is well known to her Government that other powers have made to the United States an indemnity for like losses sustained by their citizens at the same epoch.

There is nevertheless a limit beyond which this spirit of amity and forbearance can in no instance be justified. If it was proper to rely on amicable negotiation for an indemnity for losses, it would not have been so to have permitted the inability of Spain to fulfill her engagements and to sustain her authority in the Floridas to be perverted by foreign adventurers and savages to purposes so destructive to the lives of our fellow-citizens and the highest interests of the United States. The right of self-defense never ceases. It is among the most sacred, and alike necessary to nations and to individuals, and whether the attack be made by Spain herself or by those who abuse her power, its obligation is not the less strong. The invaders of Amelia Island had assumed a popular and respected title under which they might approach and wound us. As their object was distinctly seen, and the duty imposed on the Executive by an existing law was profoundly felt, that mask was not permitted to protect them. It was thought incumbent on the United States to suppress the establishment, and it was accordingly done. The combination in Florida for the unlawful purposes stated, the acts perpetrated by that combination, and, above all, the incitement of the Indians to massacre our fellow-citizens of every age and of both sexes, merited a like treatment and received it. In pursuing these savages to an imaginary line in the woods it would have been the height of folly to have suffered that line to protect them. Had that been done the war could never cease. Even if the territory had been exclusively that of Spain and her power complete over it, we had a right by the law of nations to follow the enemy on it and to subdue him there. But the territory belonged, in a certain sense at least, to the savage enemy who inhabited it; the power of Spain had ceased to exist over it, and protection was sought under her title by those who had committed on our citizens hostilities which she was bound by treaty to have prevented, but had not the power to prevent. To have stopped at that line would have given new encouragement to these savages and new vigor to the whole combination existing there in the prosecution of all its pernicious purposes.

In suppressing the establishment at Amelia Island no unfriendliness was manifested toward Spain, because the post was taken from a force which had wrested it from her. The measure, it is true, was not adopted in concert with the Spanish Government or those in authority under it, because in transactions connected with the war in which Spain and the colonies are engaged it was thought proper in doing justice to the United States to maintain a strict impartiality toward both the belligerent parties without consulting or acting in concert with either. It gives me pleasure to state that the Governments of Buenos Ayres and Venezuela, whose names were assumed, have explicitly disclaimed all participation in those measures, and even the knowledge of them until communicated by this Government, and have also expressed their satisfaction that a course of proceedings had been suppressed which if justly imputable to them would dishonor their cause.

In authorizing Major-General Jackson to enter Florida in pursuit of the Seminoles care was taken not to encroach on the rights of Spain. I regret to have to add that in executing this order facts were disclosed respecting the conduct of the officers of Spain in authority there in encouraging the war, furnishing munitions of war and other supplies to carry it on, and in other acts not less marked which evinced their participation in the hostile purposes of that combination and justified the confidence with which it inspired the savages that by those officers they would be protected. A conduct so incompatible with the friendly relations existing between the two countries, particularly with the positive obligation of the fifth article of the treaty of 1795, by which Spain was bound to restrain, even by force, those savages from acts of hostility against the United States, could not fail to excite surprise. The commanding general was convinced that he should fail in his object, that he should in effect accomplish nothing, if he did not deprive those savages of the resource on which they had calculated and of the protection on which they had relied in making the war. As all the documents relating to this occurrence will be laid before Congress, it is not necessary to enter into further detail respecting it.

Although the reasons which induced Major-General Jackson to take these posts were duly appreciated, there was nevertheless no hesitation in deciding on the course which it became the Government to pursue. As there was reason to believe that the commanders of these posts had violated their instructions, there was no disposition to impute to their Government a conduct so unprovoked and hostile. An order was in consequence issued to the general in command there to deliver the posts—Pensacola unconditionally to any person duly authorized to receive it, and St. Marks, which is in the heart of the Indian country, on the arrival of a competent force to defend it against those savages and their associates.

In entering Florida to suppress this combination no idea was entertained of hostility to Spain, and however justifiable the commanding general was, in consequence of the misconduct of the Spanish officers, in entering St. Marks and Pensacola to terminate it by proving to the savages and their associates that they should not be protected even there, yet the amicable relations existing between the United States and Spain could not be altered by that act alone. By ordering the restitution of the posts those relations were preserved. To a change of them the power of the Executive is deemed incompetent; it is vested in Congress only.

By this measure, so promptly taken, due respect was shown to the Government of Spain. The misconduct of her officers has not been imputed to her. She was enabled to review with candor her relations with the United States and her own situation, particularly in respect to the territory in question, with the dangers inseparable from it, and regarding the losses we have sustained for which indemnity has been so long withheld, and the injuries we have suffered through that territory, and her means of redress, she was likewise enabled to take with honor the course best calculated to do justice to the United States and to promote her own welfare.

Copies of the instructions to the commanding general, of his correspondence with the Secretary of War, explaining his motives and justifying his conduct, with a copy of the proceedings of the courts-martial in the trial of Arbuthnot and Ambristie, and of the correspondence between the Secretary of State and the minister plenipotentiary of Spain near this Government, and of the minister plenipotentiary of the United States at Madrid with the Government of Spain, will be laid before Congress.

The civil war which has so long prevailed between Spain and the Provinces in South America still continues, without any prospect of its speedy termination. The information respecting the condition of those countries which has been collected by the commissioners recently returned from thence will be laid before Congress in copies of their reports, with such other information as has been received from other agents of the United States.

It appears from these communications that the Government at Buenos Ayres declared itself independent in July, 1816, having previously exercised the power of an independent government, though in the name of the

King of Spain, from the year 1810; that the Banda Oriental, Entre Rios, and Paraguay, with the city of Santa Fee, all of which are also independent, are unconnected with the present Government of Buenos Ayres; that Chili has declared itself independent and is closely connected with Buenos Ayres; that Venezuela has also declared itself independent, and now maintains the conflict with various success; and that the remaining parts of South America, except Monte Video and such other portions of the eastern bank of the La Plata as are held by Portugal, are still in the possession of Spain or in a certain degree under her influence.

By a circular note addressed by the ministers of Spain to the allied powers, with whom they are respectively accredited, it appears that the allies have undertaken to mediate between Spain and the South American Provinces, and that the manner and extent of their interposition would be settled by a congress which was to have met at Aix-la-Chapelle in September last. From the general policy and course of proceeding observed by the allied powers in regard to this contest it is inferred that they will confine their interposition to the expression of their sentiments, abstaining from the application of force. I state this impression that force will not be applied with the greater satisfaction because it is a course more consistent with justice and likewise authorizes a hope that the calamities of the war will be confined to the parties only, and will be of shorter duration.

From the view taken of this subject, founded on all the information that we have been able to obtain, there is good cause to be satisfied with the course heretofore pursued by the United States in regard to this contest, and to conclude that it is proper to adhere to it, especially in the present state of affairs.

I have great satisfaction in stating that our relations with France, Russia, and other powers continue on the most friendly basis.

In our domestic concerns we have ample cause of satisfaction. The receipts into the Treasury during the three first quarters of the year have exceeded $17,000,000.

After satisfying all the demands which have been made under existing appropriations, including the final extinction of the old 6 per cent stock and the redemption of a moiety of the Louisiana debt, it is estimated that there will remain in the Treasury on the 1st day of January next more than $2,000,000.

It is ascertained that the gross revenue which has accrued from the customs during the same period amounts to $21,000,000, and that the revenue of the whole year may be estimated at not less than $26,000,000. The sale of the public lands during the year has also greatly exceeded, both in quantity and price, that of any former year, and there is just reason to expect a progressive improvement in that source of revenue.

It is gratifying to know that although the annual expenditure has been increased by the act of the last session of Congress providing for Revolutionary pensions to an amount about equal to the proceeds of the internal duties which were then repealed, the revenue for the ensuing year will be proportionally augmented, and that whilst the public expenditure will probably remain stationary, each successive year will add to the national resources by the ordinary increase of our population and by the gradual development of our latent sources of national prosperity.

The strict execution of the revenue laws, resulting principally from the salutary provisions of the act of the 20th of April last amending the several collection laws, has, it is presumed, secured to domestic manufactures all the relief that can be derived from the duties which have been imposed upon foreign merchandise for their protection. Under the influence of this relief several branches of this important national interest have assumed greater activity, and although it is hoped that others will gradually revive and ultimately triumph over every obstacle, yet the expediency of granting further protection is submitted to your consideration.

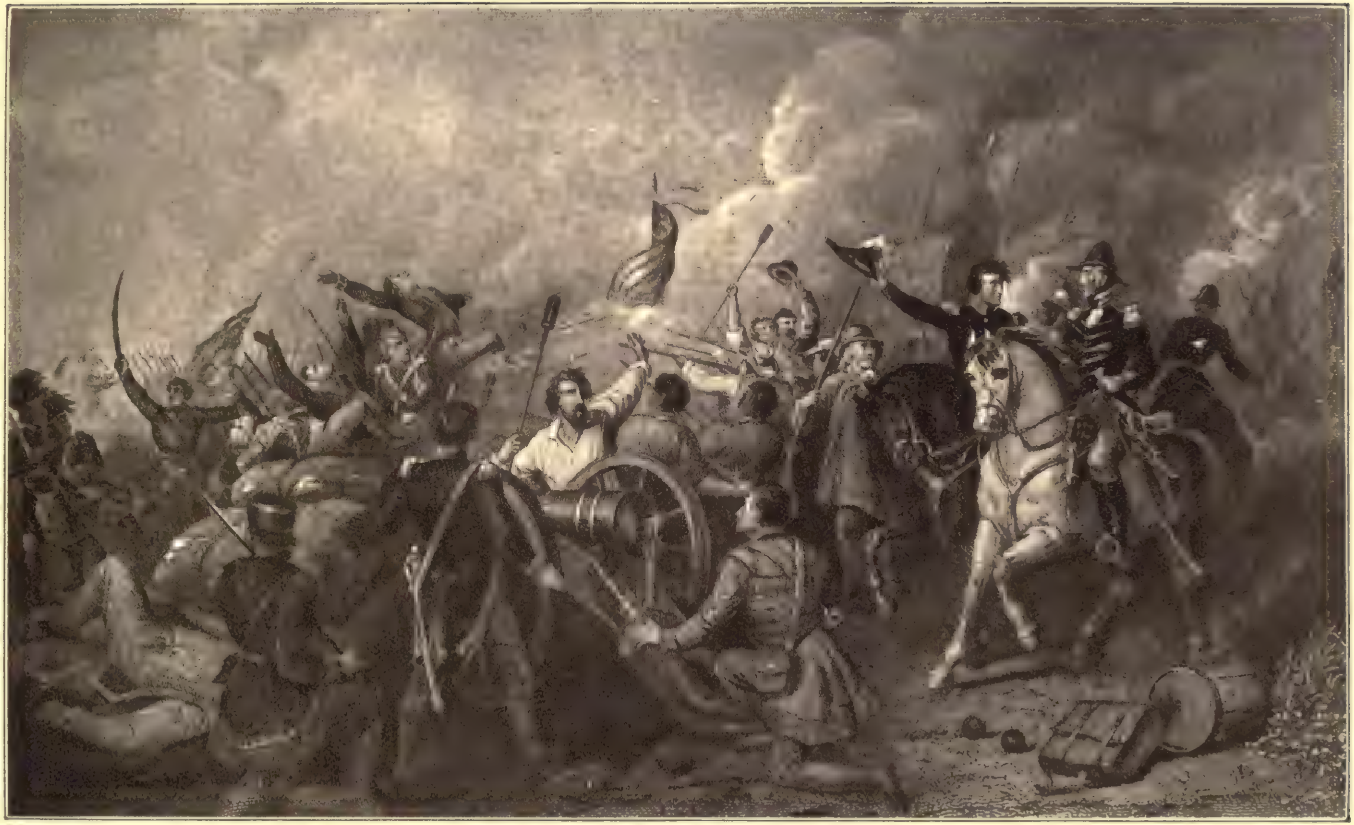
The measures of defense authorized by existing laws have been pursued with the zeal and activity due to so important an object, and with all the dispatch practicable in so extensive and great an undertaking. The survey of our maritime and inland frontiers has been continued, and at the points where it was decided to erect fortifications the work has been commenced, and in some instances considerable progress has been made. In compliance with resolutions of the last session, the Board of Commissioners were directed to examine in a particular manner the parts of the coast therein designated and to report their opinion of the most suitable sites for two naval depots. This work is in a train of execution. The opinion of the Board on this subject, with a plan of all the works necessary to a general system of defense so far as it has been formed, will be laid before Congress in a report from the proper department as soon as it can be prepared.

In conformity with the appropriations of the last session, treaties have been formed with the Quapaw tribe of Indians, inhabiting the country on the Arkansaw, and with the Great and Little Osages north of the White River; with the tribes in the State of Indiana; with the several tribes within the State of Ohio and the Michigan Territory, and with the Chickasaws, by which very extensive cessions of territory have been made to the United States. Negotiations are now depending with the tribes in the Illinois Territory and with the Choctaws, by which it is expected that other extensive cessions will be made. I take great interest in stating that the cessions already made, which are considered so important to the United States, have been obtained on conditions very satisfactory to the Indians.

With a view to the security of our inland frontiers, it has been thought expedient to establish strong posts at the mouth of Yellow Stone River and at the Mandan village on the Missouri, and at the mouth of St. Peters on the Mississippi, at no great distance from our northern boundaries. It can hardly be presumed while such posts are maintained in the rear of the Indian tribes that they will venture to attack our peaceable inhabitants. A strong hope is entertained that this measure will likewise be productive of much good to the tribes themselves, especially in promoting the great object of their civilization. Experience has clearly demonstrated that independent savage communities can not long exist within the limits of a civilized population. The progress of the latter has almost invariably terminated in the extinction of the former, especially of the tribes belonging to our portion of this hemisphere, among whom loftiness of sentiment and gallantry in action have been conspicuous. To civilize them, and even to prevent their extinction, it seems to be indispensable that their independence as communities should cease, and that the control of the United States over them should be complete and undisputed. The hunter state will then be more easily abandoned, and recourse will be had to the acquisition and culture of land and to other pursuits tending to dissolve the ties which connect them together as a savage community and to give a new character to every individual. I present this subject to the consideration of Congress on the presumption that it may be found expedient and practicable to adopt some benevolent provisions, having these objects in view, relative to the tribes within our settlements.

It has been necessary during the present year to maintain a strong naval force in the Mediterranean and in the Gulf of Mexico, and to send some public ships along the southern coast and to the Pacific Ocean. By these means amicable relations with the Barbary Powers have been preserved, our commerce has been protected, and our rights respected. The augmentation of our Navy is advancing with a steady progress toward the limit contemplated by law.

I communicate with great satisfaction the accession of another State (Illinois) to our Union, because I perceive from the proof afforded by the additions already made the regular progress and sure consummation of a policy of which history affords no example, and of which the good effect can not be too highly estimated. By extending our Government on the principles of our Constitution over the vast territory within our limits, on the Lakes and the Mississippi and its numerous streams, new life and vigor are infused into every part of our system. By increasing the number of the States the confidence of the State governments in their own security is increased and their jealousy of the National Government proportionally diminished. The impracticability of one consolidated government for this great and growing nation will be more apparent and will be universally admitted. Incapable of exercising local authority except for general purposes, the General Government will no longer be dreaded. In those cases of a local nature and for all the great purposes for which it was instituted its authority will be cherished. Each government will acquire new force and a greater freedom of action within its proper sphere. Other inestimable advantages will follow. Our produce will be aug-



THE BATTLE OF NEW ORLEANS

BATTLE OF NEW ORLEANS

Pakenham, with 8,000 British veterans of the Napoleonic wars, tried to wrest the city of New Orleans, with the control of the Mississippi, from Jackson's motley army of Creoles, French pirates, free negroes, San Domingans, French veterans, frontiersmen from Tennessee and Kentucky, and soldiers and sailors from the regular forces of the United States. Jackson's men fought behind a straight earthwork. The British Peninsular veterans advanced cheering. A redoubt on the far right was carried, but so terrible a fire opened on them from the line that they fled. The main attack was repulsed by riflemen from Kentucky and Tennessee. The British formed a column of sixty men front in a ditch 400 yards from the earthwork. They fell, says an eye-witness, like blades of grass before the scythe. They broke and fled; then reformed and charged. Pakenham was shot while leading them. Lambert, his successor, stopped the battle. The British had about 700 dead, of whom 85 were officers. See the article entitled "New Orleans, Battle of," in the Encyclopedic Index.

mented to an incalculable amount in articles of the greatest value for domestic use and foreign commerce. Our navigation will in like degree be increased, and as the shipping of the Atlantic States will be employed in the transportation of the vast produce of the Western country, even those parts of the United States which are most remote from each other will be further bound together by the strongest ties which mutual interest can create.

The situation of this District, it is thought, requires the attention of Congress. By the Constitution the power of legislation is exclusively vested in the Congress of the United States. In the exercise of this power, in which the people have no participation, Congress legislate in all cases directly on the local concerns of the District. As this is a departure, for a special purpose, from the general principles of our system, it may merit consideration whether an arrangement better adapted to the principles of our Government and to the particular interests of the people may not be devised which will neither infringe the Constitution nor affect the object which the provision in question was intended to secure. The growing population, already considerable, and the increasing business of the District, which it is believed already interferes with the deliberations of Congress on great national concerns, furnish additional motives for recommending this subject to your consideration.

When we view the great blessings with which our country has been favored, those which we now enjoy, and the means which we possess of handing them down unimpaired to our latest posterity, our attention is irresistibly drawn to the source from whence they flow. Let us, then, unite in offering our most grateful acknowledgments for these blessings to the Divine Author of All Good.

JAMES MONROE.

SPECIAL MESSAGES.

NOVEMBER 30, 1818.

To the Senate of the United States:

I lay before the Senate, for their advice and consent, the several treaties which have recently been made with the Chickasaws, the Quapaws, the Wyandot, Seneca, Delaware, Shawnese, Potawatamies, Ottawas, and Chippewas, the Peoria, Kaskaskias, Mitchigamia, Cahokia, and Tamarois, the Great and Little Osages, the Weas, Potawatamies, Delaware and Miami, the Wyandot, and the four Pawnees tribes of Indians.

By reference to the journal of the commissioners it appears that George and Levi Colbert have bargained and sold to the United States the reservations made to them by the treaty of September, 1816, and that a deed of trust of the same has been made by them to James Jackson, of

Nashville. I would therefore suggest, in case the Chickasaw treaty be approved by the Senate, the propriety of providing by law for the payment of the sum stipulated to be given to them for their reservations.

JAMES MONROE.

DECEMBER 2, 1818.

To the Senate of the United States:

I transmit to the Senate copies of such of the documents referred to in the message of the 17th of last month as have been prepared since that period. They contain a copy of the reports of Mr. Rodney and Mr. Graham, two of the commissioners to South America, who returned first from the mission, and of the papers connected with those reports. They also present a full view of the operations of our troops employed in the Seminole war in Florida.

It would have been gratifying to me to have communicated with the message all the documents referred to in it, but as two of our commissioners from South America made their reports a few days only before the meeting of Congress and the third on the day of its meeting, it was impossible to transmit at that time more than one copy of the two reports first made.

The residue of the documents will be communicated as soon as they are prepared.

JAMES MONROE.

WASHINGTON, *December 2, 1818.*

To the Senate of the United States:

In compliance with a resolution of the Senate of 25th of last month, requesting to be furnished with such information as may be possessed by the Executive touching the execution of so much of the first article of the late treaty of peace and amity between His Britannic Majesty and the United States as relates to the restitution of slaves, and which has not heretofore been communicated, I lay before the Senate a report made by the Secretary of State on the 1st instant in relation to that subject.

JAMES MONROE.

DECEMBER 2, 1818.

To the House of Representatives of the United States:

I transmit to the House of Representatives copies of such documents referred to in the message of the 17th ultimo as have been prepared since that period. They present a full view of the operations of our troops employed in the Seminole war who entered Florida.

The residue of the documents, which are very voluminous, will be transmitted as soon as they can be prepared.

JAMES MONROE.

DECEMBER 12, 1818.

To the House of Representatives of the United States:

In compliance with the resolution of the House of Representatives of the 10th instant, I transmit a report of the Secretary of War, with copies of the correspondence between the governor of Georgia and Major-General Andrew Jackson on the subject of the arrest of Captain Obed Wright.

JAMES MONROE.

DECEMBER 29, 1818.

To the Senate of the United States:

I lay before the Senate, for their consideration, a convention, signed at London on the 20th of October last, between the United States and Great Britain, together with the documents showing the course and progress of the negotiation. I have to request that these documents, which are original, may be returned when the Senate shall have acted on the convention.

JAMES MONROE.

DECEMBER 31, 1818.

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives of the 24th instant, requesting me to lay before it "copies of the correspondence, if any, between the Department of War and the governor of Georgia, in answer to the letter of the latter to the former dated on the 1st of June of the present year, communicated to the House on the 12th instant; and also the correspondence, if any, between the Department of War and General Andrew Jackson, in answer to the letter of the latter of the date 7th May, 1818, also communicated to the House on the 12th instant," I transmit a report from the Secretary of War, with a copy of an extract of a letter from Major Van De Venter, chief clerk in the Department of War, in reply to General Jackson's letter of the 7th of May, 1818.

JAMES MONROE.

DECEMBER 31, 1818.

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives of the 7th instant, requesting me to lay before it "the proceedings which have been had under the act entitled 'An act for the gradual increase of the Navy of the United States,' specifying the number of ships which have been put on the stocks, and of what class, and the quantity and kind of materials which have been procured in compliance with the provisions of said act; and also the sums of money which have been paid out of the fund created by the said act, and for what objects; and likewise the contracts which have been entered into in execution of said act on which moneys may not yet have been advanced," I transmit a report from the Acting Secretary of the Navy, together with a communication from the Board of Navy Commissioners, which, with the documents accompanying it, comprehends all the information required by the House of Representatives.

JAMES MONROE.

WASHINGTON, *January 4, 1819.*

To the Senate and House of Representatives of the United States:

I transmit to Congress a proclamation, dated the 22d of last month, of the convention made and concluded at Madrid between the plenipotentiaries of the United States and His Catholic Majesty on the 11th of August, 1802, the ratifications of which were not exchanged until the 21st ultimo, together with the translation of a letter from the minister of Spain to the Secretary of State.

JAMES MONROE.

JANUARY 4, 1819.

To the Senate of the United States:

I transmit to the Senate, in pursuance of their resolution of the 30th of last month, requesting to be furnished with the instructions, including that of the 28th of July, 1818, to the plenipotentiaries of the United States who negotiated the convention with His Britannic Majesty signed on the 20th day of October in the same year, copies of all these instructions, including that particularly referred to.

JAMES MONROE.

JANUARY 11, 1819.

To the Senate of the United States:

In compliance with a resolution of the Senate of the 5th instant, requesting me "to cause to be laid before it a statement of the effective force composing the military establishment of the United States; also a statement of the different posts and garrisons at and within which troops are stationed, and the actual number of officers, noncommissioned officers, and privates at each post and garrison, respectively; also to designate in such statement the number of artillerists and the number and caliber of ordnance at each of the said posts and garrisons," I transmit a report from the Secretary of War, which, with the documents accompanying it, contains all the information required.

JAMES MONROE.

JANUARY 29, 1819.

To the House of Representatives of the United States:

I transmit to the House of Representatives, in compliance with their resolution of the 4th of this month, a report from the Secretary of State concerning the applications which have been made by any of the independent Governments of South America to have a minister or consul-general accredited by the Government of the United States, with the answers of this Government to the applications addressed to it.

JAMES MONROE.

JANUARY 30, 1819.

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives of the 18th instant, requesting me to cause any information not already communicated to be laid before the House whether Amelia Island, St. Marks, and Pensacola yet remain in the possession of the United States, and, if so, by what laws the inhabitants are governed; whether articles imported therein from foreign countries are subject to any, and what, duties, and by what laws, and whether the said duties are collected and how; whether vessels arriving in the United States from Pensacola and Amelia Island, and in Pensacola and Amelia Island from the United States, respectively, are considered and treated as vessels arriving from foreign countries, I transmit a report from the Secretary of the Treasury, and likewise one from the Secretary of War, which will afford all the information requested by the House of Representatives.

JAMES MONROE.

FEBRUARY 2, 1819.

To the Senate of the United States:

I nominate John Overton, Newton Cannon, and Robert Weakly, of Tennessee, as commissioners to negotiate with the Chickasaw tribe of Indians for the cession of a tract of land 4 miles square, including a salt spring, reserved to the said tribe by the fourth article of a treaty concluded with the said Indians on the 19th day of October, 1818.

JAMES MONROE.

FEBRUARY 2, 1819.

To the Senate of the United States:

In compliance with a resolution of the Senate of the 13th of last month, requesting me "to cause to be laid before it a statement showing the measures that have been taken to collect the balances stated to be due from the several supervisors and collectors of the old direct tax of two millions; also a similar statement of the balances due from the officers of the old internal revenue, and to designate in such statement the persons who have been interested in the collection of the said debts and the sums by them respectively collected, and the time when the same were collected," I transmit a report of the Secretary of the Treasury, which, with the documents accompanying it, contains all the information required.

JAMES MONROE.

WASHINGTON, *February 3, 1819.*

To the Senate and House of Representatives of the United States:

I communicate to Congress copies of applications received from the minister of Great Britain in behalf of certain British subjects who have suffered in their property by proceedings to which the United States by their military and judicial officers have been parties. These injuries have been sustained under circumstances which appear to recommend strongly to the attention of Congress the claim to indemnity for the losses occasioned by them, which the legislative authority is alone competent to provide.

JAMES MONROE.

FEBRUARY 5, 1819.

To the Senate of the United States:

In compliance with a resolution of the Senate of the 25th of last month, requesting me "to cause to be laid before it a copy of the rules and regulations adopted for the government of the Military Academy at West Point; also how many cadets have been admitted into the Academy, the time of the residence of each cadet at that institution, and how many of them have been appointed officers in the Army and Navy of the United States," I transmit a report from the Secretary of War, which, with the accompanying documents, will afford all the information required by the said resolution.

JAMES MONROE.

WASHINGTON, *February 6, 1819.*

To the Senate and House of Representatives of the United States:

I transmit to Congress a copy of a letter from Governor Bibb to Major-General Jackson, connected with the late military operations in Florida. This letter has been mislaid, or it would have been communicated with the other documents at the commencement of the session.

JAMES MONROE.

FEBRUARY 6, 1819.

To the Senate and House of Representatives of the United States:

I transmit to Congress, for their consideration, applications which have been received from the minister resident of Prussia and from the senates of the free and Hanseatic cities of Hamburg and Bremen, the object of which is that the advantages secured by the act of Congress of 20th of April last to the vessels and merchandise of the Netherlands should be extended to those of Prussia, Hamburg, and Bremen. It will appear from these documents that the vessels of the United States and the merchandise laden in them are in the ports of those Governments, respectively, entitled to the same advantages in respect to imposts and duties as those of the native subjects of the countries themselves.

The principle of reciprocity appears to entitle them to the return of the same favor on the part of the United States, and I recommend it to Congress that provision to that effect may be made.

JAMES MONROE.

FEBRUARY 22, 1819.

To the Senate of the United States:

I transmit to the Senate a treaty of amity, settlement, and limits between the United States of America and His Catholic Majesty, concluded and signed this day, for the decision of the Senate as to its ratification. Copies of the correspondence between the Secretary of State and the minister from Spain connected with this subject since the renewal of the negotiation are likewise inclosed.

JAMES MONROE.

WASHINGTON, *February 26, 1819.*

To the Senate and House of Representatives of the United States:

The treaty of amity, settlement, and limits between the United States and His Catholic Majesty having been on the part of the United States ratified, by and with the advice and consent of the Senate, copies of it are now transmitted to Congress. As the ratification on the part of Spain may be expected to take place during the recess of Congress, I recommend to their consideration the adoption of such legislative measures contingent upon the event of the exchange of the ratifications as may be necessary or expedient for carrying the treaty into effect in the interval between the sessions, and until Congress at their next session may see fit to make further provision on the subject.

JAMES MONROE.

MARCH 2, 1819.

To the Senate of the United States:

A convention having been concluded between John C. Calhoun, Secretary of War, especially authorized therefor by me, and the chiefs and headmen of the Cherokee Nation of Indians, likewise duly authorized and empowered by said nation, I now lay the original instrument before the Senate for the exercise of its constitutional power respecting the ratification thereof.

JAMES MONROE.

THIRD ANNUAL MESSAGE.

WASHINGTON, *December 7, 1819.*

Fellow-Citizens of the Senate and of the House of Representatives:

The public buildings being advanced to a stage to afford accommodation for Congress, I offer you my sincere congratulations on the recommencement of your duties in the Capitol.

In bringing to view the incidents most deserving attention which have occurred since your last session, I regret to have to state that several of our principal cities have suffered by sickness, that an unusual drought has prevailed in the Middle and Western States, and that a derangement has been felt in some of our moneyed institutions which has proportionably affected their credit. I am happy, however, to have it in my power to assure you that the health of our cities is now completely restored; that the produce of the year, though less abundant than usual, will not only be amply sufficient for home consumption, but afford a large surplus for the supply of the wants of other nations, and that the derangement in the circulating paper medium, by being left to those remedies which its obvious causes suggested and the good sense and virtue of our fellow-citizens supplied, has diminished.

Having informed Congress, on the 27th of February last, that a treaty of amity, settlement, and limits had been concluded in this city between the United States and Spain, and ratified by the competent authorities of the former, full confidence was entertained that it would have been ratified by His Catholic Majesty with equal promptitude and a like earnest desire to terminate on the conditions of that treaty the differences which had so long existed between the two countries. Every view which the subject admitted of was thought to have justified this conclusion. Great losses had been sustained by citizens of the United States from Spanish cruisers more than twenty years before, which had not been redressed. These losses had been acknowledged and provided for by a treaty as far back as the year 1802, which, although concluded at Madrid, was not then ratified by the Government of Spain, nor since, until the last year, when it was suspended by the late treaty, a more satisfactory provision to both parties, as was presumed, having been made for them. Other differences had arisen in this long interval, affecting their highest interests, which were likewise provided for by this last treaty. The treaty itself was formed on great consideration and a thorough knowledge of all circumstances, the subject-matter of every article having been for years under discussion and repeated references having been made by the minister of Spain to his Government on the points respecting which the greatest difference of opinion prevailed. It was formed by a minister duly authorized for the purpose, who had represented his Government in the United States and been employed in this long-protracted negotiation several years, and who, it is not denied, kept strictly within the letter of his instructions. The faith of Spain was therefore pledged, under circumstances of peculiar force and solemnity, for its ratification. On the part of the United States this treaty was evidently acceded to in a spirit of conciliation and concession. The indemnity for injuries and losses so long before sustained, and now again acknowledged and provided for, was to be paid by them without becoming a charge on the treasury of Spain. For territory ceded by Spain other territory of great value, to which our claim was believed to be well founded, was ceded by the United States, and in a quarter more interesting to her. This cession was nevertheless received as the means of indemnifying our citizens in a considerable sum, the presumed amount of their losses. Other considerations of great weight urged the cession of this territory by Spain. It was surrounded by the Territories of the United States on every side except on that of the ocean. Spain had lost her authority over it, and, falling into the hands of adventurers connected with the savages, it was made the means of unceasing annoyance and injury to our Union in many of its most essential interests. By this cession, then, Spain ceded a territory in reality of no value to her and obtained concessions of the highest importance by the settlement of long-standing differences with the United States affecting their respective claims and limits, and likewise relieved herself from the obligation of a treaty relating to it which she had failed to fulfill, and also from the responsibility incident to the most flagrant and pernicious abuses of her rights where she could not support her authority.

It being known that the treaty was formed under these circumstances, not a doubt was entertained that His Catholic Majesty would have ratified it without delay. I regret to have to state that this reasonable expectation has been disappointed; that the treaty was not ratified within the time stipulated and has not since been ratified. As it is important that the nature and character of this unexpected occurrence should be distinctly understood, I think it my duty to communicate to you all the facts and circumstances in my possession relating to it.

Anxious to prevent all future disagreement with Spain by giving the most prompt effect to the treaty which had been thus concluded, and particularly by the establishment of a government in Florida which should preserve order there, the minister of the United States who had been recently appointed to His Catholic Majesty, and to whom the ratification by his Government had been committed to be exchanged for that of Spain, was instructed to transmit the latter to the Department of State as soon as obtained, by a public ship subjected to his order for the purpose. Unexpected delay occurring in the ratification by Spain, he requested to be informed of the cause. It was stated in reply that the great importance of the subject, and a desire to obtain explanations on certain points which were not specified, had produced the delay, and that an envoy would be dispatched to the United States to obtain such explanations of this Government. The minister of the United States offered to give full explanation on any point on which it might be desired, which proposal was declined. Having communicated this result to the Department of State in August last, he was instructed, notwithstanding the disappointment and surprise which it produced, to inform the Government of Spain that if the treaty should be ratified and transmitted here at any time before the meeting of Congress it would be received and have the same effect as if it had been ratified in due time. This order was executed, the authorized communication was made to the Government of Spain, and by its answer, which has just been received, we are officially made acquainted for the first time with the causes which have prevented the ratification of the treaty by His Catholic Majesty. It is alleged by the minister of Spain that this Government had attempted to alter one of the principal articles of the treaty by a declaration which the minister of the United States had been ordered to present when he should deliver the ratification by his Government in exchange for that of Spain, and of which he gave notice, explanatory of the sense in which that article was understood. It is further alleged that this Government had recently tolerated or protected an expedition from the United States against the Province of Texas. These two imputed acts are stated as the reasons which have induced His Catholic Majesty to withhold his ratification from the treaty, to obtain explanations respecting which it is repeated that an envoy would be forthwith dispatched to the United States. How far these allegations will justify the conduct of the Government of Spain will appear on a view of the following facts and the evidence which supports them:

It will be seen by the documents transmitted herewith that the declaration mentioned relates to a clause in the eighth article concerning certain grants of land recently made by His Catholic Majesty in Florida, which it was understood had conveyed all the lands which till then had been ungranted; it was the intention of the parties to annul these latter grants, and that clause was drawn for that express purpose and for none other. The date of these grants was unknown, but it was understood to be posterior to that inserted in the article; indeed, it must be obvious to all that if that provision in the treaty had not the effect of annulling these grants, it would be altogether nugatory. Immediately after the treaty was concluded and ratified by this Government an intimation was received that these grants were of anterior date to that fixed on by the treaty and that they would not, of course, be affected by it. The mere possibility of such a case, so inconsistent with the intention of the parties and the meaning of the article, induced this Government to demand an explanation on the subject, which was immediately granted, and which corresponds with this statement. With respect to the other act alleged, that this Government had tolerated or protected an expedition against Texas, it is utterly without foundation. Every discountenance has invariably been given to any such attempt from within the limits of the United States, as is fully evinced by the acts of the Government and the proceedings of the courts. There being cause, however, to apprehend, in the course of the last summer, that some adventurers entertained views of the kind suggested, the attention of the constituted authorities in that quarter was immediately drawn to them, and it is known that the project, whatever it might be, has utterly failed.

These facts will, it is presumed, satisfy every impartial mind that the Government of Spain had no justifiable cause for declining to ratify the treaty. A treaty concluded in conformity with instructions is obligatory, in good faith, in all its stipulations, according to the true intent and meaning of the parties. Each party is bound to ratify it. If either could set it aside without the consent of the other, there would be no longer any rules applicable to such transactions between nations. By this proceeding the Government of Spain has rendered to the United States a new and very serious injury. It has been stated that a minister would be sent to ask certain explanations of this Government; but if such were desired, why were they not asked within the time limited for the ratification? Is it contemplated to open a new negotiation respecting any of the articles or conditions of the treaty? If that were done, to what consequences might it not lead? At what time and in what manner would a new negotiation terminate? By this proceeding Spain has formed a relation between the two countries which will justify any measures on the part of the United States which a strong sense of injury and a proper regard for the rights and interests of the nation may dictate.

In the course to be pursued these objects should be constantly held in view and have their due weight. Our national honor must be maintained, and a new and a distinguished proof be afforded of that regard for justice and moderation which has invariably governed the councils of this free people. It must be obvious to all that if the United States had been desirous of making conquests, or had been even willing to aggrandize themselves in that way, they could have had no inducement to form this treaty. They would have much cause for gratulation at the course which has been pursued by Spain. An ample field for ambition is open before them, but such a career is not consistent with the principles of their Government nor the interests of the nation.

From a full view of all circumstances, it is submitted to the consideration of Congress whether it will not be proper for the United States to carry the conditions of the treaty into effect in the same manner as if it had been ratified by Spain, claiming on their part all its advantages and yielding to Spain those secured to her. By pursuing this course we shall rest on the sacred ground of right, sanctioned in the most solemn manner by Spain herself by a treaty which she was bound to ratify, for refusing to do which she must incur the censure of other nations, even those most friendly to her, while by confining ourselves within that limit we can not fail to obtain their well-merited approbation. We must have peace on a frontier where we have been so long disturbed; our citizens must be indemnified for losses so long since sustained, and for which indemnity has been so unjustly withheld from them. Accomplishing these great objects, we obtain all that is desirable.

But His Catholic Majesty has twice declared his determination to send a minister to the United States to ask explanations on certain points and to give them respecting his delay to ratify the treaty. Shall we act by taking the ceded territory and proceeding to execute the other conditions of the treaty before this minister arrives and is heard? This is a case which forms a strong appeal to the candor, the magnanimity, and the honor of this people. Much is due to courtesy between nations. By a short delay we shall lose nothing, for, resting on the ground of immutable truth and justice, we can not be diverted from our purpose. It ought to be presumed that the explanations which may be given to the minister of Spain will be satisfactory, and produce the desired result. In any event, the delay for the purpose mentioned, being a further manifestation of the sincere desire to terminate in the most friendly manner all differences with Spain, can not fail to be duly appreciated by His Catholic Majesty as well as by other powers. It is submitted, therefore, whether it will not be proper to make the law proposed for carrying the conditions of the treaty into effect, should it be adopted, contingent; to suspend its operation, upon the responsibility of the Executive, in such manner as to afford an opportunity for such friendly explanations as may be desired during the present session of Congress.

I communicate to Congress a copy of the treaty and of the instructions to the minister of the United States at Madrid respecting it; of his correspondence with the minister of Spain, and of such other documents as may be necessary to give a full view of the subject.

In the course which the Spanish Government have on this occasion thought proper to pursue it is satisfactory to know that they have not been countenanced by any other European power. On the contrary, the opinion and wishes both of France and Great Britain have not been withheld either from the United States or from Spain, and have been unequivocal in favor of the ratification. There is also reason to believe that the sentiments of the Imperial Government of Russia have been the same, and that they have also been made known to the cabinet of Madrid.

In the civil war existing between Spain and the Spanish Provinces in this hemisphere the greatest care has been taken to enforce the laws intended to preserve an impartial neutrality. Our ports have continued to be equally open to both parties and on the same conditions, and our citizens have been equally restrained from interfering in favor of either to the prejudice of the other. The progress of the war, however, has operated manifestly in favor of the colonies. Buenos Ayres still maintains unshaken the independence which it declared in 1816, and has enjoyed since 1810. Like success has also lately attended Chili and the Provinces north of the La Plata bordering on it, and likewise Venezuela.

This contest has from its commencement been very interesting to other powers, and to none more so than to the United States. A virtuous people may and will confine themselves within the limit of a strict neutrality; but it is not in their power to behold a conflict so vitally important to their neighbors without the sensibility and sympathy which naturally belong to such a case. It has been the steady purpose of this Government to prevent that feeling leading to excess, and it is very gratifying to have it in my power to state that so strong has been the sense throughout the whole community of what was due to the character and obligations of the nation that very few examples of a contrary kind have occurred.

The distance of the colonies from the parent country and the great extent of their population and resources gave them advantages which it was anticipated at a very early period would be difficult for Spain to surmount. The steadiness, consistency, and success with which they have pursued their object, as evinced more particularly by the undisturbed sovereignty which Buenos Ayres has so long enjoyed, evidently give them a strong claim to the favorable consideration of other nations. These sentiments on the part of the United States have not been withheld from other powers, with whom it is desirable to act in concert. Should it become manifest to the world that the efforts of Spain to subdue these Provinces will be fruitless, it may be presumed that the Spanish Government itself will give up the contest. In producing such a determination it can not be doubted that the opinion of friendly powers who have taken no part in the controversy will have their merited influence.

It is of the highest importance to our national character and indispensable to the morality of our citizens that all violations of our neutrality should be prevented. No door should be left open for the evasion of our laws, no opportunity afforded to any who may be disposed to take advantage of it to compromit the interest or the honor of the nation. It is submitted, therefore, to the consideration of Congress whether it may not be advisable to revise the laws with a view to this desirable result.

It is submitted also whether it may not be proper to designate by law the several ports or places along the coast at which only foreign ships of war and privateers may be admitted. The difficulty of sustaining the regulations of our commerce and of other important interests from abuse without such designation furnishes a strong motive for this measure.

At the time of the negotiation for the renewal of the commercial convention between the United States and Great Britain a hope had been entertained that an article might have been agreed upon mutually satisfactory to both countries, regulating upon principles of justice and reciprocity the commercial intercourse between the United States and the British possessions as well in the West Indies as upon the continent of

North America. The plenipotentiaries of the two Governments not having been able to come to an agreement on this important interest, those of the United States reserved for the consideration of this Government the proposals which had been presented to them as the ultimate offer on the part of the British Government, and which they were not authorized to accept. On their transmission here they were examined with due deliberation, the result of which was a new effort to meet the views of the British Government. The minister of the United States was instructed to make a further proposal, which has not been accepted. It was, however, declined in an amicable manner. I recommend to the consideration of Congress whether further prohibitory provisions in the laws relating to this intercourse may not be expedient. It is seen with interest that although it has not been practicable as yet to agree in any arrangement of this important branch of their commerce, such is the disposition of the parties that each will view any regulations which the other may make respecting it in the most friendly light.

By the fifth article of the convention concluded on the 20th of October, 1818, it was stipulated that the differences which have arisen between the two Governments with regard to the true intent and meaning of the fifth article of the treaty of Ghent, in relation to the carrying away by British officers of slaves from the United States after the exchange of the ratifications of the treaty of peace, should be referred to the decision of some friendly sovereign or state to be named for that purpose. The minister of the United States has been instructed to name to the British Government a foreign sovereign, the common friend to both parties, for the decision of this question. The answer of that Government to the proposal when received will indicate the further measures to be pursued on the part of the United States.

Although the pecuniary embarrassments which affected various parts of the Union during the latter part of the preceding year have during the present been considerably augmented, and still continue to exist, the receipts into the Treasury to the 30th of September last have amounted to $19,000,000. After defraying the current expenses of the Government, including the interest and reimbursement of the public debt payable to that period, amounting to $18,200,000, there remained in the Treasury on that day more than $2,500,000, which, with the sums receivable during the remainder of the year, will exceed the current demands upon the Treasury for the same period.

The causes which have tended to diminish the public receipts could not fail to have a corresponding effect upon the revenue which has accrued upon imposts and tonnage during the three first quarters of the present year. It is, however, ascertained that the duties which have been secured during that period exceed $18,000,000, and those of the whole year will probably amount to $23,000,000.

For the probable receipts of the next year I refer you to the statements which will be transmitted from the Treasury, which will enable you to judge whether further provision be necessary.

The great reduction in the price of the principal articles of domestic growth which has occurred during the present year, and the consequent fall in the price of labor, apparently so favorable to the success of domestic manufactures, have not shielded them against other causes adverse to their prosperity. The pecuniary embarrassments which have so deeply affected the commercial interests of the nation have been no less adverse to our manufacturing establishments in several sections of the Union.

The great reduction of the currency which the banks have been constrained to make in order to continue specie payments, and the vitiated character of it where such reductions have not been attempted, instead of placing within the reach of these establishments the pecuniary aid necessary to avail themselves of the advantages resulting from the reduction in the prices of the raw materials and of labor, have compelled the banks to withdraw from them a portion of the capital heretofore advanced to them. That aid which has been refused by the banks has not been obtained from other sources, owing to the loss of individual confidence from the frequent failures which have recently occurred in some of our principal commercial cities.

An additional cause for the depression of these establishments may probably be found in the pecuniary embarrassments which have recently affected those countries with which our commerce has been principally prosecuted. Their manufactures, for the want of a ready or profitable market at home, have been shipped by the manufacturers to the United States, and in many instances sold at a price below their current value at the place of manufacture. Although this practice may from its nature be considered temporary or contingent, it is not on that account less injurious in its effects. Uniformity in the demand and price of an article is highly desirable to the domestic manufacturer.

It is deemed of great importance to give encouragement to our domestic manufacturers. In what manner the evils which have been adverted to may be remedied, and how far it may be practicable in other respects to afford to them further encouragement, paying due regard to the other great interests of the nation, is submitted to the wisdom of Congress.

The survey of the coast for the establishment of fortifications is now nearly completed, and considerable progress has been made in the collection of materials for the construction of fortifications in the Gulf of Mexico and in the Chesapeake Bay. The works on the eastern bank of the Potomac below Alexandria and on the Pea Patch, in the Delaware, are much advanced, and it is expected that the fortifications at the Narrows, in the harbor of New York, will be completed the present year. To derive all the advantages contemplated from these fortifications it was necessary that they should be judiciously posted, and constructed with a view to permanence. The progress hitherto has therefore been slow; but as the difficulties in parts heretofore the least explored and known are surmounted, it will in future be more rapid. As soon as the survey o the coast is completed, which it is expected will be done early in the next spring, the engineers employed in it will proceed to examine for like purposes the northern and northwestern frontiers.

The troops intended to occupy a station at the mouth of the St. Peters, on the Mississippi, have established themselves there, and those who were ordered to the mouth of the Yellow Stone, on the Missouri, have ascended that river to the Council Bluff, where they will remain until the next spring, when they will proceed to the place of their destination. I have the satisfaction to state that this measure has been executed in amity with the Indian tribes, and that it promises to produce, in regard to them, all the advantages which were contemplated by it.

Much progress has likewise been made in the construction of ships of war and in the collection of timber and other materials for shipbuilding. It is not doubted that our Navy will soon be augmented to the number and placed in all respects on the footing provided for by law.

The Board, consisting of engineers and naval officers, have not yet made their final report of sites for two naval depots, as instructed according to the resolutions of March 18 and April 20, 1818, but they have examined the coast therein designated, and their report is expected in the next month.

For the protection of our commerce in the Mediterranean, along the southern Atlantic coast, in the Pacific and Indian oceans, it has been found necessary to maintain a strong naval force, which it seems proper for the present to continue. There is much reason to believe that if any portion of the squadron heretofore stationed in the Mediterranean should be withdrawn our intercourse with the powers bordering on that sea would be much interrupted, if not altogether destroyed. Such, too, has been the growth of a spirit of piracy in the other quarters mentioned, by adventurers from every country, in abuse of the friendly flags which they have assumed, that not to protect our commerce there would be to abandon it as a prey to their rapacity. Due attention has likewise been paid to the suppression of the slave trade, in compliance with a law of the last session. Orders have been given to the commanders of all our public ships to seize all vessels navigated under our flag engaged in that trade, and to bring them in to be proceeded against in the manner prescribed by that law. It is hoped that these vigorous measures, supported by like acts by other nations, will soon terminate a commerce so disgraceful to the civilized world.

In the execution of the duty imposed by these acts, and of a high trust connected with it, it is with deep regret I have to state the loss which has been sustained by the death of Commodore Perry. His gallantry in a brilliant exploit in the late war added to the renown of his country. His death is deplored as a national misfortune.

JAMES MONROE.

SPECIAL MESSAGES.

WASHINGTON, *December 7, 1819.*

To the Senate of the United States:

I transmit herewith to the Senate a collection of the commercial regulations of the different foreign countries with which the United States have commercial intercourse, which has been compiled in compliance with the resolution of the Senate of 3d March, 1817.

JAMES MONROE.

WASHINGTON, *December 14, 1819.*

To the House of Representatives of the United States:

In conformity with the resolution of the House of Representatives of the 24th of February last, I now transmit a report of the Secretary of State, with extracts and copies of several letters, touching the causes of the imprisonment of William White, an American citizen, at Buenos Ayres.

JAMES MONROE.

WASHINGTON, *December 17, 1819.*

To the Senate and House of Representatives of the United States:

Some doubt being entertained respecting the true intent and meaning of the act of the last session entitled "An act in addition to the acts prohibiting the slave trade," as to the duties of the agents to be appointed on the coast of Africa, I think it proper to state the interpretation which has been given of the act and the measures adopted to carry it into effect, that Congress may, should it be deemed advisable, amend the same before further proceeding is had under it.

The obligation to instruct the commanders of all our armed vessels to seize and bring into port all ships or vessels of the United States, wheresoever found, having on board any negro, mulatto, or person of color in violation of former acts for the suppression of the slave trade, being imperative, was executed without delay. No seizures have yet been made, but as they were contemplated by the law, and might be presumed, it seemed proper to make the necessary regulations applicable to such seizures for carrying the several provisions of the act into effect.

It is enjoined on the Executive to cause all negroes, mulattoes, or persons of color who may be taken under the act to be removed to Africa. It is the obvious import of the law that none of the persons thus taken should remain within the United States, and no place other than the coast of Africa being designated, their removal or delivery, whether carried from the United States or landed immediately from the vessels in which they were taken, was supposed to be confined to that coast. No settlement or station being specified, the whole coast was thought to be left open for the selection of a proper place at which the persons thus taken should be delivered. The Executive is authorized to appoint one or more agents residing there to receive such persons, and $100,000 are appropriated for the general purposes of the law.

On due consideration of the several sections of the act, and of its humane policy, it was supposed to be the intention of Congress that all the persons above described who might be taken under it and landed in Africa should be aided in their return to their former homes, or in their establishment at or near the place where landed. Some shelter and food would be necessary for them there as soon as landed, let their subsequent disposition be what it might. Should they be landed without such provision having been previously made, they might perish.

It was supposed, by the authority given to the Executive to appoint agents residing on that coast, that they should provide such shelter and food, and perform the other beneficent and charitable offices contemplated by the act. The coast of Africa having been little explored, and no persons residing there who possessed the requisite qualifications to entitle them to the trust being known to the Executive, to none such could it be committed. It was believed that citizens only who would go hence well instructed in the views of their Government and zealous to give them effect would be competent to these duties, and that it was not the intention of the law to preclude their appointment. It was obvious that the longer these persons should be detained in the United States in the hands of the marshals the greater would be the expense, and that for the same term would the main purpose of the law be suspended. It seemed, therefore, to be incumbent on me to make the necessary arrangements for carrying this act into effect in Africa in time to meet the delivery of any persons who might be taken by the public vessels and landed there under it.

On this view of the policy and sanctions of the law it has been decided to send a public ship to the coast of Africa with two such agents, who will take with them tools and other implements necessary for the purposes above mentioned. To each of these agents a small salary has been allowed—$1,500 to the principal and $1,200 to the other.

All our public agents on the coast of Africa receive salaries for their services, and it was understood that none of our citizens possessing the requisite qualifications would accept these trusts, by which they would be confined to parts the least frequented and civilized, without a reasonable compensation. Such allowance therefore seemed to be indispensable to the execution of the act. It is intended also to subject a portion of the sum appropriated to the order of the principal agent for the special objects above stated, amounting in the whole, including the salaries of the agents for one year, to rather less than one-third of the appropriation. Special instructions will be given to these agents, defining in precise terms their duties in regard to the persons thus delivered to them, the disbursement of the money by the principal agent, and his accountability for the same. They will also have power to select the most suitable place on the coast of Africa at which all persons who may be taken under this act shall be delivered to them, with an express injunction to exercise no power founded on the principle of colonization or other power than that of performing the benevolent offices above recited by the permission and sanction of the existing government under which they may establish themselves. Orders will be given to the commander of the public ship in which they will sail to cruise along the coast to give the more complete effect to the principal object of the act.

JAMES MONROE.

WASHINGTON, *December 17, 1819.*

To the Senate and House of Representatives of the United States:

In compliance with a resolution of Congress of the 27th March, 1818, the journal, acts, and proceedings of the convention which formed the present Constitution of the United States have been published. The resolution directs that 1,000 copies should be printed, of which one copy should be furnished to each member of the Fifteenth Congress, and the residue to be subject to the future disposition of Congress. The number of copies sufficient to supply the members of the late Congress having been reserved for that purpose, the remainder are now deposited at the Department of State subject to the order of Congress. The documents mentioned in the resolution of the 27th March, 1818, are in the process of publication.

JAMES MONROE.

WASHINGTON, *December 24, 1819.*

To the Senate and House of Representatives of the United States:

On the 23d of February, 1803, a message from the President of the United States was transmitted to both Houses of Congress, together with the report of the then Secretary of State, Mr. Madison, upon the case of the Danish brigantine *Henrick* and her cargo, belonging to citizens of Hamburg, recommending the claim to the favorable consideration of Congress. In February, 1805, it was again presented by a message from the President to the consideration of Congress, but has not since been definitively acted upon.

The minister resident from Denmark and the consul-general from Hamburg having recently renewed applications in behalf of the respective owners of the vessel and cargo, I transmit herewith copies of their communications for the further consideration of the Legislature, upon whose files all the documents relating to the claim are still existing.

JAMES MONROE.

DECEMBER 31, 1819.

To the Senate of the United States:

I transmit to the Senate, for its advice and consent as to the ratification, three treaties which have been concluded in the course of the present year with the Kickapoos, the Chippaways, and the Kickapoos of the Vermillion by commissioners who were duly authorized for the purpose.

With the Chippaways there is a supplementary article stipulating certain advantages in their favor on condition that the same shall be ratified by the Executive, with the advice and consent of the Senate, which I likewise submit to your consideration.

JAMES MONROE.

WASHINGTON, *January 8, 1820.*

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives of the 14th December, 1819, requesting me to cause to be laid before it any information I may possess respecting certain executions which have been inflicted in the Army of the United States since the year 1815 contrary to the laws and regulations provided for the government of the same, I transmit a report from the Secretary of War containing a detailed account in relation to the object of the said resolution.

JAMES MONROE.

WASHINGTON, *January 8, 1820.*

To the Senate of the United States:

In compliance with a resolution of the Senate of the 20th of January, 1819, requesting me "to cause a report to be laid before them at their next session of such facts as may be within the means of the Government to obtain shewing how far it may be expedient or not to provide by law for clothing the Army with articles manufactured in the United States," I transmit a report from the Secretary of War, which, with the accompanying documents, comprehends all the information required by the Senate in their resolution aforesaid.

JAMES MONROE.

WASHINGTON, *January 19, 1820.*

To the House of Representatives:

In compliance with a resolution of the House of Representatives requesting me "to lay before it at as early a day as may be convenient an account of the expenditure of the several sums appropriated for building fortifications from the year 1816 to the year 1819, inclusive, indicating the places at which works of defense have been begun, the magnitude of the works contemplated at each place, their present condition, the amount already expended, and the estimated amount requisite for the completion of each, also the mode by which the fortifications are built, by contract or otherwise,'' I now transmit to the House a report from the Secretary of War, to whom the said resolution was referred, which, with the documents accompanying it, contains all the information required.

JAMES MONROE.

WASHINGTON, *February 8, 1820.*

To the House of Representatives of the United States:

In conformity with a resolution of the House of Representatives of the 24th January, 1820, requesting me ''to inform the House what loans, if any, have been made since the peace, to private citizens, of powder, lead, and other munitions belonging to the Government by officers of any department of the Army or Navy, specifying the times, terms, objects, and extent of such loans, the names of the persons by whom and to whom made, the different times of repayment, and also the amount of the ultimate loss, if any, likely to be incurred by the Government in consequence thereof,'' I now transmit a report from the Secretary of War, which, with the accompanying documents, contains all the information that can be furnished on the subject.

JAMES MONROE.

WASHINGTON, *March 1, 1820.*

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives of the 4th of February last, requesting to be informed what progress has been made in surveying certain parts of the coast of North Carolina and in ascertaining the latitude and longitude of the extreme points of Cape Hatteras, Cape Look Out, and Cape Fear, according to a resolution of the 19th of January, 1819, I have to state that it is intended to carry the resolution of the 19th of March into effect in the present year. The cooperation of the Board of Engineers with Naval Commissioners being necessary in executing that duty, and the Board having been engaged last year in surveying the eastern coast of our Union, it would have interfered with previous arrangements and been attended with increased expense had they been withdrawn from it. The Board will, however, be employed during the present summer in the regular execution of its duties in the survey of the coast of North Carolina, when instructions will be given it to afford the necessary aid to carry the resolution of the 19th of January of the last year into effect.

JAMES MONROE.

WASHINGTON, *March 4, 1820.*

To the Senate of the United States:

I transmit to the Senate, in pursuance of their resolution of the 4th of January last, a report from the Secretary of State, with a list of fines incurred under the act of Congress entitled "An act in addition to the act for the punishment of certain crimes against the United States," which appear from the records of the Department of State to have been remitted by the Executive authority of the United States.

JAMES MONROE.

WASHINGTON, *March 8, 1820.*

The PRESIDENT PRO TEMPORE OF THE SENATE:

I transmit to the Senate copies of sundry papers having relation to the treaty of 22d February, 1819, between the United States and Spain, which have been received at the Department of State, and have not before been communicated to the Senate.

JAMES MONROE.

WASHINGTON, *March 8, 1820.*

To the Senate and House of Representatives of the United States:

I transmit to Congress a report from the Secretary of the Treasury, which, with the accompanying documents, will shew that the act of the 20th May, 1812, respecting the northern and western boundaries of the State of Ohio, has been executed.

JAMES MONROE.

WASHINGTON, *March 17, 1820.*

To the House of Representatives of the United States:

It being stipulated by the fourth article of the articles of agreement and cession entered into on the 24th of April, 1802, with the State of Georgia that the United States should at their own expense extinguish for the use of that State, as soon as it might be done on reasonable terms, the Indian title to all the lands within its limits, and the legislature of Georgia being desirous to make a further acquisition of said lands at this time, presuming that it may be done on reasonable terms; and it being also represented that property of considerable value which had been taken by the Creek and Cherokee Indians from citizens of Georgia, the restoration of which had been provided for by different treaties, but which has never been made, it is proposed to hold a treaty with those nations, and more particularly with the Creeks, in the course of this summer. For the attainment of these objects I submit the subject to the consideration of Congress, that a sum adequate to the expenses attending such treaty may be appropriated should Congress deem it expedient.

JAMES MONROE.

WASHINGTON, *March 20, 1820.*

To the Senate of the United States:

In compliance with a resolution of the Senate of the 16th of February, 1820, requesting me to cause to be laid before it "abstracts of the bonds or other securities given under the laws of the United States by the collectors of the customs, receivers of public moneys for lands, and registers of public lands, paymasters in the Army, and pursers in the Navy, who are now in office, or who have heretofore been in office, and whose accounts remain unsettled, together with a statement of such other facts as may tend to shew the expediency or inexpediency of so far altering the laws respecting such officers that they may hereafter be appointed for limited periods, subject to removal as heretofore," I transmit to the Senate a report from the Secretary of the Treasury, which, with the documents accompanying it, will afford all the information required.

JAMES MONROE.

WASHINGTON, *March 27, 1820.*

To the Senate and House of Representatives of the United States:

I transmit to Congress an extract of a letter from the minister plenipotentiary of the United States at St. Petersburg, of the 1st of November last, on the subject of our relations with Spain, indicating the sentiments of the Emperor of Russia respecting the nonratification by His Catholic Majesty of the treaty lately concluded between the United States and Spain, and the strong interest which His Imperial Majesty takes in promoting the ratification of that treaty. Of this friendly disposition the most satisfactory assurance has been since given directly to this Government by the minister of Russia residing here.

I transmit also to Congress an extract of a letter from the minister plenipotentiary of the United States at Madrid of a later date than those heretofore communicated, by which it appears that, at the instance of the chargé d'affaires of the Emperor of Russia, a new pledge had been given by the Spanish Government that the minister who had been lately appointed to the United States should set out on his mission without delay, with full power to settle all differences in a manner satisfactory to the parties.

I have further to state that the Governments of France and Great Britain continue to manifest the sentiments heretofore communicated respecting the nonratification of the treaty by Spain, and to interpose their good offices to promote its ratification.

It is proper to add that the Governments of France and Russia have expressed an earnest desire that the United States would take no steps for the present on the principle of reprisal which might possibly tend to disturb the peace between the United States and Spain. There is good cause to presume from the delicate manner in which this sentiment has been conveyed that it is founded in a belief as well as a desire that our just objects may be accomplished without the hazard of such an extremity.

On full consideration of all these circumstances, I have thought it my duty to submit to Congress whether it will not be advisable to postpone a decision on the questions now depending with Spain until the next session. The distress of that nation at this juncture affords a motive for this forbearance which can not fail to be duly appreciated. Under such circumstances the attention of the Spanish Government may be diverted from its foreign concerns, and the arrival of a minister here be longer delayed. I am the more induced to suggest this course of proceeding from a knowledge that, while we shall thereby make a just return to the powers whose good offices have been acknowledged, and increase by a new and signal proof of moderation our claims on Spain, our attitude in regard to her will not be less favorable at the next session than it is at the present.

JAMES MONROE.

WASHINGTON, *May 9, 1820.*

To the Senate and House of Representatives of the United States:

I communicate to Congress a correspondence which has taken place between the Secretary of State and the envoy extraordinary and minister plenipotentiary of His Catholic Majesty since the message of the 27th March last, respecting the treaty which was concluded between the United States and Spain on the 22d February, 1819.

After the failure of His Catholic Majesty for so long a time to ratify the treaty, it was expected that this minister would have brought with him the ratification, or that he would have been authorized to give an order for the delivery of the territory ceded by it to the United States. It appears, however, that the treaty is still unratified and that the minister has no authority to surrender the territory. The object of his mission has been to make complaints and to demand explanations respecting an imputed system of hostility on the part of citizens of the United States against the subjects and dominions of Spain, and an unfriendly policy in their Government, and to obtain new stipulations against these alleged injuries as the condition on which the treaty should be ratified.

Unexpected as such complaints and such a demand were under existing circumstances, it was thought proper, without compromitting the Government as to the course to be pursued, to meet them promptly and to give the explanations that were desired on every subject with the utmost candor. The result has proved what was sufficiently well known before, that the charge of a systematic hostility being adopted and pursued by citizens of the United States against the dominions and subjects of Spain is utterly destitute of foundation, and that their Government in all its branches has maintained with the utmost rigor that neutrality in the civil war between Spain and the colonies which they were the first to declare. No force has been collected nor incursions made from within the United States against the dominions of Spain, nor have any naval equipments been permitted in favor of either party against the other. Their citizens have been warned of the obligations incident to the neutral condition of their country; their public officers have been instructed to see that the laws were faithfully executed, and severe examples have been made of some who violated them.

In regard to the stipulation proposed as the condition of the ratification of the treaty, that the United States shall abandon the right to recognize the revolutionary colonies in South America, or to form other relations with them when in their judgment it may be just and expedient so to do, it is manifestly so repugnant to the honor and even to the independence of the United States that it has been impossible to discuss it. In making this proposal it is perceived that His Catholic Majesty has entirely misconceived the principles on which this Government has acted in being a party to a negotiation so long protracted for claims so well founded and reasonable, as he likewise has the sacrifices which the United States have made, comparatively, with Spain in the treaty to which it is proposed to annex so extraordinary and improper a condition.

Had the minister of Spain offered an unqualified pledge that the treaty should be ratified by his Sovereign on being made acquainted with the explanations which had been given by this Government, there would have been a strong motive for accepting and submitting it to the Senate for their advice and consent, rather than to resort to other measures for redress, however justifiable and proper; but he gives no such pledge; on the contrary, he declares explicitly that the refusal of this Government to relinquish the right of judging and acting for itself hereafter, according to circumstances, in regard to the Spanish colonies, a right common to all nations, has rendered it impossible for him under his instructions to make such engagement. He thinks that his Sovereign will be induced by his communications to ratify the treaty, but still he leaves him free either to adopt that measure or to decline it. He admits that the other objections are essentially removed and will not in themselves prevent the ratification, provided the difficulty on the third point is surmounted. The result, therefore, is that the treaty is declared to have no obligation whatever; that its ratification is made to depend not on the considerations which led to its adoption and the conditions which it contains, but on a new article unconnected with it, respecting which a new negotiation must be opened, of indefinite duration and doubtful issue.

Under this view of the subject the course to be pursued would appear to be direct and obvious if the affairs of Spain had remained in the state in which they were when this minister sailed. But it is known that an important change has since taken place in the Government of that country which can not fail to be sensibly felt in its intercourse with other nations. The minister of Spain has essentially declared his inability to act in consequence of that change. With him, however, under his present powers nothing could be done. The attitude of the United States must now be assumed on full consideration of what is due to their rights, their interest and honor, without regard to the powers or incidents of the late mission. We may at pleasure occupy the territory which was intended and provided by the late treaty as an indemnity for losses so long since sustained by our citizens; but still, nothing could be settled definitively without a treaty between the two nations. Is this the time to make the pressure? If the United States were governed by views of ambition and aggrandizement, many strong reasons might be given in its favor; but they have no objects of that kind to accomplish, none which are not founded in justice and which can be injured by forbearance. Great hope is entertained that this change will promote the happiness of the Spanish nation. The good order, moderation, and humanity which have characterized the movement are the best guaranties of its success.

The United States would not be justified in their own estimation should they take any step to disturb its harmony. When the Spanish Government is completely organized on the principles of this change, as it is expected it soon will be, there is just ground to presume that our differences with Spain will be speedily and satisfactorily settled.

With these remarks I submit it to the wisdom of Congress whether it will not still be advisable to postpone any decision on this subject until the next session.

JAMES MONROE.

WASHINGTON, *May 11, 1820.*

To the Senate of the United States:

I transmit herewith to the Senate a report from the Secretary of State, together with the returns of causes depending in the courts of the United States, collected conformably to a resolution of the Senate of the 18th of January, 1819.

JAMES MONROE.

WASHINGTON, *May 12, 1820.*

The SPEAKER OF THE HOUSE OF REPRESENTATIVES:

I transmit to the House of Representatives a report from the Secretary of State, with the document prepared in pursuance of a resolution of the House of the 14th ultimo, on the subject of claims of citizens of the United States for Spanish spoliations upon their property and commerce.

JAMES MONROE.

PROCLAMATION.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas by an act of the Congress of the United States of the 3d of March, 1815, so much of the several acts imposing duties on the ships and vessels and on goods, wares, and merchandise imported into the United States as imposed a discriminating duty of tonnage between foreign vessels and vessels of the United States and between goods imported into the United States in foreign vessels and vessels of the United States were repealed so far as the same respected the produce or manufacture of the nation to which such foreign ship or vessel might belong, such repeal to take effect in favor of any foreign nation whenever the President of the United States should be satisfied that the discriminating or countervailing duties of such foreign nation so far as they operate to the disadvantage of the United States have been abolished; and

Whereas satisfactory proof has been received by me from the burgomasters and senate of the free and Hanseatic city of Lubeck that from and after the 30th day of October, 1819, all discriminating or countervailing duties of the said city so far as they operated to the disadvantage of the United States have been and are abolished:

Now, therefore, I, James Monroe, President of the United States of America, do hereby declare and proclaim that so much of the several acts imposing duties on the tonnage of ships and vessels and on goods, wares, and merchandise imported into the United States as imposed a discriminating duty of tonnage between vessels of the free and Hanseatic city of Lubeck and vessels of the United States and between goods imported into the United States in vessels of Lubeck and vessels of the United States are repealed so far as the same respect the produce or manufacture of the said free Hanseatic city of Lubeck.

Given under my hand, at the city of Washington, this 4th day of May, A. D. 1820, and forty-fourth year of the Independence of the United States.

[SEAL.]

JAMES MONROE.

By the President:

JOHN QUINCY ADAMS, *Secretary of State.*

FOURTH ANNUAL MESSAGE.

WASHINGTON, *November 14, 1820.*

Fellow-Citizens of the Senate and of the House of Representatives:

In communicating to you a just view of public affairs at the commencement of your present labors, I do it with great satisfaction, because, taking all circumstances into consideration which claim attention, I see much cause to rejoice in the felicity of our situation. In making this remark

I do not wish to be understood to imply that an unvaried prosperity is to be seen in every interest of this great community. In the progress of a nation inhabiting a territory of such vast extent and great variety of climate, every portion of which is engaged in foreign commerce and liable to be affected in some degree by the changes which occur in the condition and regulations of foreign countries, it would be strange if the produce of our soil and the industry and enterprise of our fellow-citizens received at all times and in every quarter an uniform and equal encouragement. This would be more than we would have a right to expect under circumstances the most favorable. Pressures on certain interests, it is admitted, have been felt; but allowing to these their greatest extent, they detract but little from the force of the remarks already made. In forming a just estimate of our present situation it is proper to look at the whole in the outline as well as in the detail. A free, virtuous, and enlightened people know well the great principles and causes on which their happiness depends, and even those who suffer most occasionally in their transitory concerns find great relief under their sufferings from the blessings which they otherwise enjoy and in the consoling and animating hope which they administer. From whence do these pressures come? Not from a government which is founded by, administered for, and supported by the people. We trace them to the peculiar character of the epoch in which we live, and to the extraordinary occurrences which have signalized it. The convulsions with which several of the powers of Europe have been shaken and the long and destructive wars in which all were engaged, with their sudden transition to a state of peace, presenting in the first instance unusual encouragement to our commerce and withdrawing it in the second even within its wonted limit, could not fail to be sensibly felt here. The station, too, which we had to support through this long conflict, compelled as we were finally to become a party to it with a principal power, and to make great exertions, suffer heavy losses, and to contract considerable debts, disturbing the ordinary course of affairs by augmenting to a vast amount the circulating medium, and thereby elevating at one time the price of every article above a just standard and depressing it at another below it, had likewise its due effect.

It is manifest that the pressures of which we complain have proceeded in a great measure from these causes. When, then, we take into view the prosperous and happy condition of our country in all the great circumstances which constitute the felicity of a nation—every individual in the full enjoyment of all his rights, the Union blessed with plenty and rapidly rising to greatness under a National Government which operates with complete effect in every part without being felt in any except by the ample protection which it affords, and under State governments which perform their equal share, according to a wise distribution of power between them, in promoting the public happiness—it is impossible to behold so gratifying, so glorious a spectacle without being penetrated with the most profound and grateful acknowledgments to the Supreme Author of All Good for such manifold and inestimable blessings. Deeply impressed with these sentiments, I can not regard the pressures to which I have adverted otherwise than in the light of mild and instructive admonitions, warning us of dangers to be shunned in future, teaching us lessons of economy corresponding with the simplicity and purity of our institutions and best adapted to their support, evincing the connection and dependence which the various parts of our happy Union have on each other, thereby augmenting daily our social incorporation and adding by its strong ties new strength and vigor to the political; opening a wider range, and with new encouragement, to the industry and enterprise of our fellow-citizens at home and abroad, and more especially by the multiplied proofs which it has accumulated of the great perfection of our most excellent system of government, the powerful instrument in the hands of our All-merciful Creator in securing to us these blessings.

Happy as our situation is, it does not exempt us from solicitude and care for the future. On the contrary, as the blessings which we enjoy are great, proportionably great should be our vigilance, zeal, and activity to preserve them. Foreign wars may again expose us to new wrongs, which would impose on us new duties for which we ought to be prepared. The state of Europe is unsettled, and how long peace may be preserved is altogether uncertain; in addition to which we have interests of our own to adjust which will require particular attention. A correct view of our relations with each power will enable you to form a just idea of existing difficulties, and of the measures of precaution best adapted to them.

Respecting our relations with Spain nothing explicit can now be communicated. On the adjournment of Congress in May last the minister plenipotentiary of the United States at Madrid was instructed to inform the Government of Spain that if His Catholic Majesty should then ratify the treaty this Government would accept the ratification so far as to submit to the decision of the Senate the question whether such ratification should be received in exchange for that of the United States heretofore given. By letters from the minister of the United States to the Secretary of State it appears that a communication in conformity with his instructions had been made to the Government of Spain, and that the Cortes had the subject under consideration. The result of the deliberations of that body, which is daily expected, will be made known to Congress as soon as it is received. The friendly sentiment which was expressed on the part of the United States in the message of the 9th of May last is still entertained for Spain. Among the causes of regret, however, which are inseparable from the delay attending this transaction it is proper to state that satisfactory information has been received that measures have been recently adopted by designing persons to convert certain parts of the Province of East Florida into depots for the reception of foreign goods, from whence to smuggle them into the United States. By opening a port within the limits of Florida, immediately on our boundary where there was no settlement, the object could not be misunderstood. An early accommodation of differences will, it is hoped, prevent all such fraudulent and pernicious practices, and place the relations of the two countries on a very amicable and permanent basis.

The commercial relations between the United States and the British colonies in the West Indies and on this continent have undergone no change, the British Government still preferring to leave that commerce under the restriction heretofore imposed on it on each side. It is satisfactory to recollect that the restraints resorted to by the United States were defensive only, intended to prevent a monopoly under British regulations in favor of Great Britain, as it likewise is to know that the experiment is advancing in a spirit of amity between the parties.

The question depending between the United States and Great Britain respecting the construction of the first article of the treaty of Ghent has been referred by both Governments to the decision of the Emperor of Russia, who has accepted the umpirage.

An attempt has been made with the Government of France to regulate by treaty the commerce between the two countries on the principle of reciprocity and equality. By the last communication from the minister plenipotentiary of the United States at Paris, to whom full power had been given, we learn that the negotiation had been commenced there; but serious difficulties having occurred, the French Government had resolved to transfer it to the United States, for which purpose the minister plenipotentiary of France had been ordered to repair to this city, and whose arrival might soon be expected. It is hoped that this important interest may be arranged on just conditions and in a manner equally satisfactory to both parties. It is submitted to Congress to decide, until such arrangement is made, how far it may be proper, on the principle of the act of the last session which augmented the tonnage duty on French vessels, to adopt other measures for carrying more completely into effect the policy of that act.

The act referred to, which imposed new tonnage on French vessels, having been in force from and after the 1st day of July, it has happened that several vessels of that nation which had been dispatched from France before its existence was known have entered the ports of the United States, and been subject to its operation, without that previous notice which the general spirit of our laws gives to individuals in similar cases. The object of that law having been merely to countervail the inequalities which existed to the disadvantage of the United States in their commercial intercourse with France, it is submitted also to the consideration of Congress whether, in the spirit of amity and conciliation which it is no less the inclination than the policy of the United States to preserve in their intercourse with other powers, it may not be proper to extend relief to the individuals interested in those cases by exempting from the operation of the law all those vessels which have entered our ports without having had the means of previously knowing the existence of the additional duty.

The contest between Spain and the colonies, according to the most authentic information, is maintained by the latter with improved success. The unfortunate divisions which were known to exist some time since at Buenos Ayres it is understood still prevail. In no part of South America has Spain made any impression on the colonies, while in many parts, and particularly in Venezuela and New Grenada, the colonies have gained strength and acquired reputation, both for the management of the war in which they have been successful and for the order of the internal administration. The late change in the Government of Spain, by the reestablishment of the constitution of 1812, is an event which promises to be favorable to the revolution. Under the authority of the Cortes the Congress of Angostura was invited to open a negotiation for the settlement of differences between the parties, to which it was replied that they would willingly open the negotiation provided the acknowledgment of their independence was made its basis, but not otherwise. Of further proceedings between them we are uninformed. No facts are known to this Government to warrant the belief that any of the powers of Europe will take part in the contest, whence it may be inferred, considering all circumstances which must have weight in producing the result, that an adjustment will finally take place on the basis proposed by the colonies. To promote that result by friendly counsels with other powers, including Spain herself, has been the uniform policy of this Government.

In looking to the internal concerns of our country you will, I am persuaded, derive much satisfaction from a view of the several objects to which, in the discharge of your official duties, your attention will be drawn. Among these none holds a more important place than the public revenue, from the direct operation of the power by which it is raised on the people, and by its influence in giving effect to every other power of the Government. The revenue depends on the resources of the country, and the facility by which the amount required is raised is a strong proof of the extent of the resources and of the efficiency of the Government. A few prominent facts will place this great interest in a just light before you. On the 30th of September, 1815, the funded and floating debt of the United States was estimated at $119,635,558. If to this sum be added the amount of 5 per cent stock subscribed to the Bank of the United States, the amount of Mississippi stock and of the stock which was issued subsequently to that date, the balances ascertained to be due to certain States for military services and to individuals for supplies furnished and services rendered during the late war, the public debt may be estimated as amounting at that date, and as afterwards liquidated, to $158,713,049. On the 30th of September, 1820, it amounted to $91,993,883, having been reduced in that interval by payments $66,879,165. During this term the expenses of the Government of the United States were likewise defrayed in every branch of the civil, military, and naval establishments; the public edifices in this city have been rebuilt with considerable additions; extensive fortifications have been commenced, and are in a train of execution; permanent arsenals and magazines have been erected in various parts of the Union; our Navy has been considerably augmented, and the ordnance, munitions of war, and stores of the Army and Navy, which were much exhausted during the war, have been replenished.

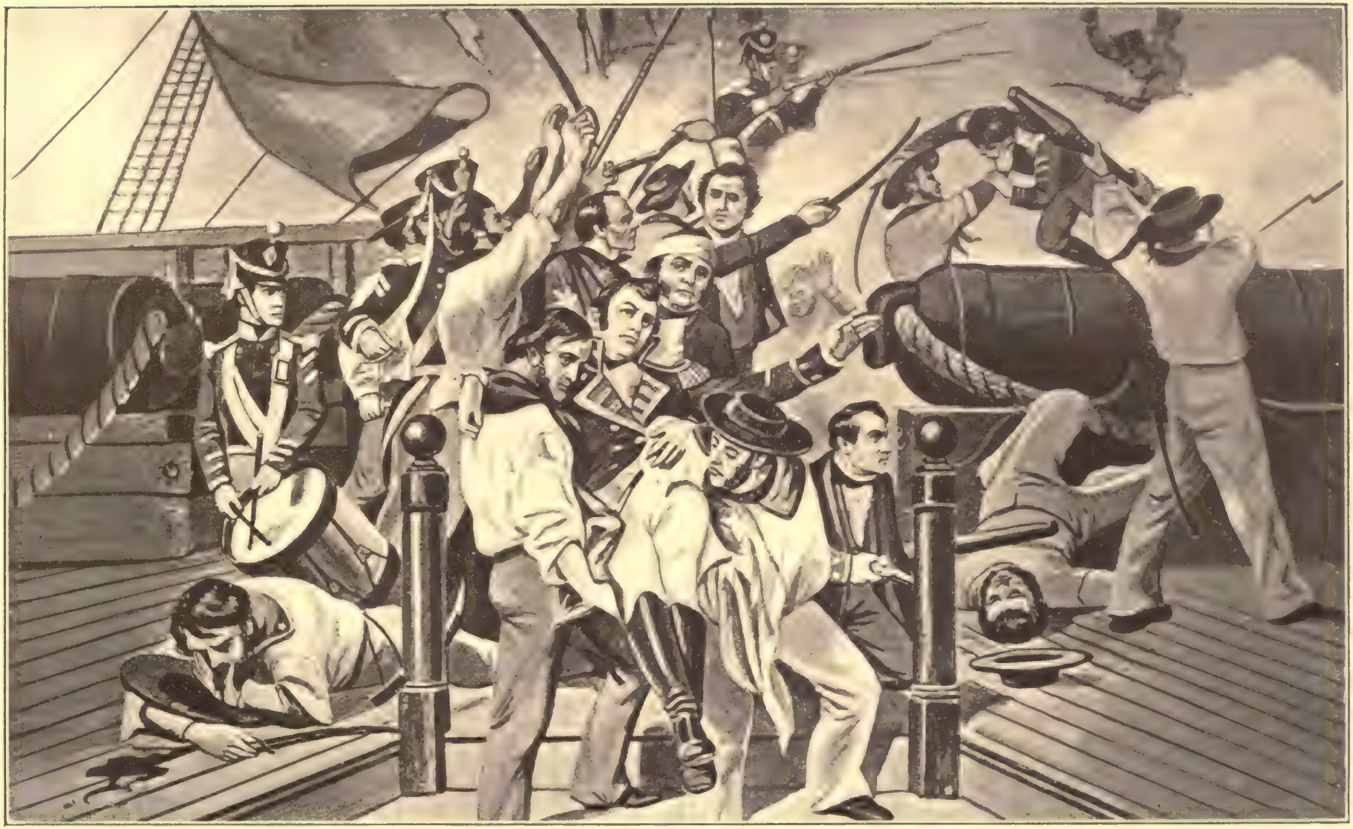
By the discharge of so large a proportion of the public debt and the execution of such extensive and important operations in so short a time a just estimate may be formed of the great extent of our national resources. The demonstration is the more complete and gratifying when it is recollected that the direct tax and excise were repealed soon after the termination of the late war, and that the revenue applied to these purposes has been derived almost wholly from other sources.

The receipts into the Treasury from every source to the 30th of September last have amounted to $16,794,107.66, whilst the public expenditures to the same period amounted to $16,871,534.72, leaving in the Treasury on that day a sum estimated at $1,950,000. For the probable receipts of the following year I refer you to the statement which will be transmitted from the Treasury.

The sum of $3,000,000 authorized to be raised by loan by an act of the last session of Congress has been obtained upon terms advantageous to the Government, indicating not only an increased confidence in the faith of the nation, but the existence of a large amount of capital seeking that mode of investment at a rate of interest not exceeding 5 per cent per annum.

It is proper to add that there is now due to the Treasury for the sale of public lands $22,996,545. In bringing this subject to view I consider it my duty to submit to Congress whether it may not be advisable to extend to the purchasers of these lands, in consideration of the unfavorable change which has occurred since the sales, a reasonable indulgence. It is known that the purchases were made when the price of every article had risen to its greatest height, and that the installments are becoming due at a period of great depression. It is presumed that some plan may be devised by the wisdom of Congress, compatible with the public interest, which would afford great relief to these purchasers.

Considerable progress has been made during the present season in examining the coast and its various bays and other inlets, in the collection of materials, and in the construction of fortifications for the defense of the Union at several of the positions at which it has been decided to erect such works. At Mobile Point and Dauphin Island, and at the Rigolets, leading to Lake Pontchartrain, materials to a considerable amount have been collected, and all the necessary preparations made for the commencement



DEATH OF CAPTAIN LAWRENCE OF THE CHESAPEAKE

THE *CHESAPEAKE* CAPTURED BY THE *SHANNON*

No event in the *Chesapeake's* career contradicts the verdict of the seamen that she was hoodooed. After lying blockaded in Boston long enough to take on an entirely new crew, she sallied out to give battle to her enemy, the *Shannon*. On June 1, 1813, at 5:50 p.m. the fight began. The ships were evenly matched in size and armament, but there was no comparison between the disciplined, efficient gallantry of the British and the unskilful but courageous tactics of the Americans. After seven minutes of broadside firing, the *Chesapeake's* sails were crippled. She drifted with her bows to the *Shannon* and her decks were raked from end to end. As soon as the vessels were grappled together the British captain boarded, at the head of his men. Almost simultaneously, Lawrence fell and was borne below, crying: "Don't give up the ship! Fight her till she sinks!" But the fight was already lost. The British buried Lawrence with all the honors due to a brave but unfortunate commander and gentleman.

The previous ill-fortune of the *Chesapeake* is told in the Encyclopedic Index, in the article entitled " Chesapeake, The."

of the works. At Old Point Comfort, at the mouth of James River, and at the Rip-Rap, on the opposite shore in the Chesapeake Bay, materials to a vast amount have been collected; and at the Old Point some progress has been made in the construction of the fortification, which is on a very extensive scale. The work at Fort Washington, on this river, will be completed early in the next spring, and that on the Pea Patch, in the Delaware, in the course of the next season. Fort Diamond, at the Narrows, in the harbor of New York, will be finished this year. The works at Boston, New York, Baltimore, Norfolk, Charleston, and Niagara have been in part repaired, and the coast of North Carolina, extending south to Cape Fear, has been examined, as have likewise other parts of the coast eastward of Boston. Great exertions have been made to push forward these works with the utmost dispatch possible; but when their extent is considered, with the important purposes for which they are intended—the defense of the whole coast, and, in consequence, of the whole interior—and that they are to last for ages, it will be manifest that a well-digested plan, founded on military principles, connecting the whole together, combining security with economy, could not be prepared without repeated examinations of the most exposed and difficult parts, and that it would also take considerable time to collect the materials at the several points where they would be required. From all the light that has been shed on this subject I am satisfied that every favorable anticipation which has been formed of this great undertaking will be verified, and that when completed it will afford very great if not complete protection to our Atlantic frontier in the event of another war—a protection sufficient to counterbalance in a single campaign with an enemy powerful at sea the expense of all these works, without taking into the estimate the saving of the lives of so many of our citizens, the protection of our towns and other property, or the tendency of such works to prevent war.

Our military positions have been maintained at Belle Point, on the Arkansas, at Council Bluffs, on the Missouri, at St. Peters, on the Mississippi, and at Green Bay, on the upper Lakes. Commodious barracks have already been erected at most of these posts, with such works as were necessary for their defense. Progress has also been made in opening communications between them and in raising supplies at each for the support of the troops by their own labor, particularly those most remote.

With the Indians peace has been preserved and a progress made in carrying into effect the act of Congress making an appropriation for their civilization, with the prospect of favorable results. As connected equally with both these objects, our trade with those tribes is thought to merit the attention of Congress. In their original state game is their sustenance and war their occupation, and if they find no employment from civilized powers they destroy each other. Left to themselves their extirpation is inevitable. By a judicious regulation of our trade with them we supply their wants, administer to their comforts, and gradually, as the game retires, draw them to us. By maintaining posts far in the interior we acquire a more thorough and direct control over them, without which it is confidently believed that a complete change in their manners can never be accomplished. By such posts, aided by a proper regulation of our trade with them and a judicious civil administration over them, to be provided for by law, we shall, it is presumed, be enabled not only to protect our own settlements from their savage incursions and preserve peace among the several tribes, but accomplish also the great purpose of their civilization.

Considerable progress has also been made in the construction of ships of war, some of which have been launched in the course of the present year.

Our peace with the powers on the coast of Barbary has been preserved, but we owe it altogether to the presence of our squadron in the Mediterranean. It has been found equally necessary to employ some of our vessels for the protection of our commerce in the Indian Sea, the Pacific, and along the Atlantic coast. The interests which we have depending in those quarters, which have been much improved of late, are of great extent and of high importance to the nation as well as to the parties concerned, and would undoubtedly suffer if such protection was not extended to them. In execution of the law of the last session for the suppression of the slave trade some of our public ships have also been employed on the coast of Africa, where several captures have already been made of vessels engaged in that disgraceful traffic.

JAMES MONROE.

SPECIAL MESSAGES.

DECEMBER 12, 1820.

To the Senate of the United States:

In compliance with a resolution of the Senate of the 6th of December, requesting that the agent employed under the act entitled "An act authorizing the purchase of fire engines and building houses for the safe-keeping of the same" should report in the manner stated in the said resolution his conduct in execution of the said act, I now transmit to the Senate a report from the agent, which communicates all the information which has been desired.

JAMES MONROE.

DECEMBER 14, 1820.

To the Senate of the United States:

I submit to the consideration of the Senate, for their advice and consent as to the ratification, the following treaties, concluded with the several

Indian tribes therein mentioned since the last session of Congress, with their documents, viz: With the Weas, Kickapoos, Chippeways, Ottawas, Choctaws, and Mahas; and also a treaty with the Kickapoos amended as proposed by a resolution of the Senate at their last session.

JAMES MONROE.

WASHINGTON, *December 14, 1820.*

To the House of Representatives:

In compliance with a resolution of the House of Representatives of the 21st November last, requesting the President to lay before the House information relating to the progress and expenditures of the commissioners under the fifth, sixth, and seventh articles of the treaty of Ghent, I now transmit a report from the Secretary of State, with documents containing all the information in the possession of that Department requested by the resolution.

JAMES MONROE.

WASHINGTON, *January 1, 1821.*

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives of the 22d of November last, requesting the President to inform that House what naval force has been stationed for the protection of the commerce of our citizens in the West India Islands and parts adjacent during the present year, and whether any depredations by pirates or others upon the property of citizens of the United States engaged in such commerce have been reported to our Government, I now submit for the information of the House a report from the Secretary of the Navy, with accompanying documents, which contains all the information in the possession of the Government required by that resolution.

JAMES MONROE.

WASHINGTON, *January 4, 1821.*

To the House of Representatives:

I communicate to the House of Representatives a report from the Secretary of State, which, with the papers accompanying it, contains all the information in the possession of the Executive requested by a resolution of the House of the 4th December last, on the subject of the African slave trade.

JAMES MONROE.

WASHINGTON, *January 4, 1821.*

To the House of Representatives:

In compliance with a resolution of the House of Representatives of the 15th of December last, requesting the President of the United States to cause to be laid before that House a statement of expenditures and receipts in the Indian Department; also the nature and extent of the contracts entered into, and with whom, from the 2d of March, 1811, to the present period, I now transmit a letter from the Secretary of War, with a report of the superintendent of Indian trade, which contains the information desired.

JAMES MONROE.

WASHINGTON, *January 12, 1821.*

To the House of Representatives of the United States:

I transmit to the House of Representatives a report from the Secretary of State, with the inclosed documents, relating to the negotiation for the suppression of the slave trade, which should have accompanied a message on that subject communicated to the House some time since, but which were accidentally omitted.

JAMES MONROE.

WASHINGTON, *January 18, 1821.*

To the Senate of the United States:

In compliance with a resolution of the Senate of the 4th instant, "requesting the President of the United States to communicate to the Senate any information he may have as to the power or authority which belonged to Don John Bonaventure Morales and to the Baron Carondelet to grant and dispose of the lands of Spain in Louisiana previously to the year 1803," I transmit a report from the Secretary of the Treasury, submitting a letter of the Commissioner of the General Land Office, with the document to which it refers.

JAMES MONROE.

WASHINGTON, *January 18, 1821.*

To the House of Representatives:

In compliance with a resolution of the House of Representatives requesting the President to inform the House, if in his opinion proper, whether any, and, if any, what, negotiations since the 1st of January, 1816, have been had with the Six Nations of Indians, or any portion of them, who the commissioners or agents were, the objects of the negotiation, the expenses of the same, the compensation of each commissioner, secretary, or agent, and to whom the moneys were paid, I now transmit a report from the Secretary of War communicating the information desired.

JAMES MONROE.

WASHINGTON, *January 31, 1821.*

To the Senate and House of Representatives:

I transmit to Congress a report from the Secretary of the Treasury submitting copies of the instructions given to the commissioners appointed under the act of the 15th of May, 1820, authorizing the location of a road from Wheeling, in the State of Virginia, to a point on the left bank of the Mississippi River between St. Louis and the mouth of the Illinois River, and copies of the report made by the said commissioners to the Treasury Department of the progress they have made in the execution of the duties prescribed by the said act, together with maps of the country through which the location is to be made.

JAMES MONROE.

FEBRUARY 5, 1821.

To the Senate of the United States:

I herewith transmit, in confidence, to the Senate reports from the Secretary of State and of the Treasury, with the papers containing the correspondence and the information in possession of the Government the communication of which was requested by the resolution of the Senate of the 23d of last month. It is desired that the original letters may, when the Senate shall have no further use for them, be returned.

JAMES MONROE.

FEBRUARY 8, 1821.

To the Senate of the United States:

In compliance with a resolution of the Senate of the 1st instant, requesting the President of the United States "to cause to be laid before the Senate any information he may have in relation to the claims of citizens of Georgia against the Creek Nation of Indians, and why these claims, if any exist, have not been heretofore adjusted and settled under the provisions of the treaties of 1790 and 1796," I now transmit a report from the Secretary of War, with accompanying documents, which contains all the information on this subject in the possession of the Executive.

JAMES MONROE.

FEBRUARY 13, 1821.

To the Senate of the United States:

The ratification by the Spanish Government of the treaty of amity, settlement, and limits between the United States and Spain, signed on the 22d of February, 1819, and on the 24th of that month ratified on the part of the United States, has been received by the envoy extraordinary and minister plenipotentiary of that power at this place, who has given notice that he is ready to exchange the ratifications.

By the sixteenth article of that treaty it was stipulated that the ratifications should be exchanged within six months from the day of its signature, which time having elapsed before the ratification of Spain was given, a copy and translation thereof are now transmitted to the Senate for their advice and consent to receive it in exchange for the ratification of the United States heretofore executed.

The treaty was submitted to the consideration of the Cortes of that Kingdom before its ratification, which was finally given with their assent and sanction. The correspondence between the Spanish minister of foreign affairs and the minister of the United States at Madrid on that occasion is also herewith communicated to the Senate, together with a memorandum by the Secretary of State of his conference with the Spanish envoy here yesterday, when that minister gave notice of his readiness to exchange the ratifications.

The return of the original papers now transmitted, to avoid the delay necessary to the making of copies, is requested.

JAMES MONROE.

WASHINGTON, *February 22, 1821.*

To the Senate of the United States:

In compliance with a resolution of the Senate of the 16th instant, requesting "the President of the United States to cause to be laid before the Senate the original order for building the barracks at Sacketts Harbor, together with all communications between the War Department and Major-General Brown relative thereto, and the amount of public moneys expended thereon," I now transmit a report from the Secretary of War, with the papers inclosed, which contains the information desired.

JAMES MONROE.

WASHINGTON, *February 22, 1821.*

To the Senate and House of Representatives of the United States:

The treaty of amity, settlement, and limits between the United States and Spain, signed on the 22d of February, 1819, having been ratified by the contracting parties, and the ratifications having been exchanged, it is herewith communicated to Congress, that such legislative measures may be taken as they shall judge proper for carrying the same into execution.

JAMES MONROE.

WASHINGTON, *February 24, 1821.*

To the Senate and House of Representatives of the United States:

I transmit to Congress a letter from the Secretary of War, inclosing an annual return of the militia of the United States, prepared by the Adjutant and Inspector General conformably to the militia laws on that subject.

JAMES MONROE.

WASHINGTON, *February 28, 1821.*

To the Senate and House of Representatives of the United States:

I herewith transmit to Congress certain extracts and a copy of letters received by the Secretary of State from the marshal of the United States for the eastern district of Virginia, in relation to the execution of the act of the 14th of March, 1820, to provide for taking the Fourth Census, together with the answers returned to that marshal by the Secretary of State. As the time within which the assistants of the marshals can legally make their returns expired on the first Monday of the present month, it would appear by the information from the marshal at Richmond that the completion of the Fourth Census as it respects the eastern district of Virginia will have been defeated not only as it regards the period contemplated by law, but during the whole of the current year, unless Congress, to whom the case is submitted, should by an act of the present session allow further time for making the returns in question.

As connected with this subject, it is also submitted for the consideration of Congress how far the marshals ought to be liable to the payment of postage on the conveyance of the papers concerning the census and manufactures by the mail. In one instance it has been already ascertained that this item of contingent expense will amount to nearly a moiety of the compensation of the marshal for the whole of his services. If the marshals are to be relieved from this charge, provision will be necessary by law either for the admission of it in their accounts or the refunding of it by the respective postmasters.

JAMES MONROE.

WASHINGTON, *March 2, 1821.*

To the Congress of the United States:

I communicate to the two Houses of Congress copies of a treaty this day ratified on the part of the United States, concluded and signed at the Indian Springs on the 8th of January last, with the Creek Nation of Indians, in order to such legislative measures as may be necessary for giving effect to it.

JAMES MONROE.

WASHINGTON, *March 3, 1821.*

To the House of Representatives of the United States:

The treaty concluded between the United States and the Kickapoo tribe of Indians on the 30th of July, 1820, having been ratified by and with the advice and consent of the Senate, I now lay a copy of the said treaty before the House of Representatives in order to such legislative provisions being made as may be necessary to carry into effect the stipulations therein contained on the part of the United States.

JAMES MONROE.

SECOND INAUGURAL ADDRESS.

FELLOW-CITIZENS: I shall not attempt to describe the grateful emotions which the new and very distinguished proof of the confidence of my fellow-citizens, evinced by my reelection to this high trust, has excited in my bosom. The approbation which it announces of my conduct in the preceding term affords me a consolation which I shall profoundly feel through life. The general accord with which it has been expressed adds to the great and never-ceasing obligations which it imposes. To merit the continuance of this good opinion, and to carry it with me into my retirement as the solace of advancing years, will be the object of my most zealous and unceasing efforts.

Having no pretensions to the high and commanding claims of my predecessors, whose names are so much more conspicuously identified with our Revolution, and who contributed so preeminently to promote its success, I consider myself rather as the instrument than the cause of the union which has prevailed in the late election. In surmounting, in favor of my humble pretensions, the difficulties which so often produce division in like occurrences, it is obvious that other powerful causes, indicating the great strength and stability of our Union, have essentially contributed to draw you together. That these powerful causes exist, and that they are permanent, is my fixed opinion; that they may produce a like accord in all questions touching, however remotely, the liberty, prosperity, and happiness of our country will always be the object of my most fervent prayers to the Supreme Author of All Good.

In a government which is founded by the people, who possess exclusively the sovereignty, it seems proper that the person who may be placed by their suffrages in this high trust should declare on commencing its duties the principles on which he intends to conduct the Administration. If the person thus elected has served the preceding term, an opportunity is afforded him to review its principal occurrences and to give such further explanation respecting them as in his judgment may be useful to his constituents. The events of one year have influence on those of another, and, in like manner, of a preceding on the succeeding Administration. The movements of a great nation are connected in all their parts. If errors have been committed they ought to be corrected; if the policy is sound it ought to be supported. It is by a thorough knowledge of the whole subject that our fellow-citizens are enabled to judge correctly of the past and to give a proper direction to the future.

Just before the commencement of the last term the United States had concluded a war with a very powerful nation on conditions equal and honorable to both parties. The events of that war are too recent and too deeply impressed on the memory of all to require a development from me. Our commerce had been in a great measure driven from the sea, our Atlantic and inland frontiers were invaded in almost every part; the waste of life along our coast and on some parts of our inland frontiers, to the defense of which our gallant and patriotic citizens were called, was immense, in addition to which not less than $120,000,000 were added at its end to the public debt.

As soon as the war had terminated, the nation, admonished by its events, resolved to place itself in a situation which should be better calculated to prevent the recurrence of a like evil, and, in case it should recur, to mitigate its calamities. With this view, after reducing our land force to the basis of a peace establishment, which has been further modified since, provision was made for the construction of fortifications at proper points through the whole extent of our coast and such an augmentation of our naval force as should be well adapted to both purposes. The laws making this provision were passed in 1815 and 1816, and it has been since the constant effort of the Executive to carry them into effect.

The advantage of these fortifications and of an augmented naval force in the extent contemplated, in a point of economy, has been fully illustrated by a report of the Board of Engineers and Naval Commissioners lately communicated to Congress, by which it appears that in an invasion by 20,000 men, with a correspondent naval force, in a campaign of six months only, the whole expense of the construction of the works would be defrayed by the difference in the sum necessary to maintain the force which would be adequate to our defense with the aid of those works and that which would be incurred without them. The reason of this difference is obvious. If fortifications are judiciously placed on our great inlets, as distant from our cities as circumstances will permit, they will form the only points of attack, and the enemy will be detained there by a small regular force a sufficient time to enable our militia to collect and repair to that on which the attack is made. A force adequate to the enemy, collected at that single point, with suitable preparation for such others as might be menaced, is all that would be requisite. But if there were no fortifications, then the enemy might go where he pleased, and, changing his position and sailing from place to place, our force must be called out and spread in vast numbers along the whole coast and on both sides of every bay and river as high up in each as it might be navigable for ships of war. By these fortifications, supported by our Navy, to which they would afford like support, we should present to other powers an armed front from St. Croix to the Sabine, which would protect in the event of war our whole coast and interior from invasion; and even in the wars of other powers, in which we were neutral, they would be found eminently useful, as, by keeping their public ships at a distance from our cities, peace and order in them would be preserved and the Government be protected from insult.

It need scarcely be remarked that these measures have not been resorted to in a spirit of hostility to other powers. Such a disposition does not exist toward any power. Peace and good will have been, and will hereafter be, cultivated with all, and by the most faithful regard to justice. They have been dictated by a love of peace, of economy, and an earnest desire to save the lives of our fellow-citizens from that destruction and our country from that devastation which are inseparable from war when it finds us unprepared for it. It is believed, and experience has shown, that such a preparation is the best expedient that can be resorted to to prevent war. I add with much pleasure that considerable progress has already been made in these measures of defense, and that they will be completed in a few years, considering the great extent and importance of the object, if the plan be zealously and steadily persevered in.

The conduct of the Government in what relates to foreign powers is always an object of the highest importance to the nation. Its agriculture, commerce, manufactures, fisheries, revenue, in short, its peace, may all be affected by it. Attention is therefore due to this subject.

At the period adverted to the powers of Europe, after having been engaged in long and destructive wars with each other, had concluded a peace, which happily still exists. Our peace with the power with whom we had been engaged had also been concluded. The war between Spain and the colonies in South America, which had commenced many years before, was then the only conflict that remained unsettled. This being a contest between different parts of the same community, in which other powers had not interfered, was not affected by their accommodations.

This contest was considered at an early stage by my predecessor a civil war in which the parties were entitled to equal rights in our ports. This decision, the first made by any power, being formed on great consideration of the comparative strength and resources of the parties, the length of time, and successful opposition made by the colonies, and of all other circumstances on which it ought to depend, was in strict accord with the law of nations. Congress has invariably acted on this principle, having made no change in our relations with either party. Our attitude has therefore been that of neutrality between them, which has been maintained by the Government with the strictest impartiality. No aid has been afforded to either, nor has any privilege been enjoyed by the one which has not been equally open to the other party, and every exertion has been made in its power to enforce the execution of the laws prohibiting illegal equipments with equal rigor against both.

By this equality between the parties their public vessels have been received in our ports on the same footing; they have enjoyed an equal right to purchase and export arms, munitions of war, and every other supply, the exportation of all articles whatever being permitted under laws which were passed long before the commencement of the contest; our citizens have traded equally with both, and their commerce with each has been alike protected by the Government.

Respecting the attitude which it may be proper for the United States to maintain hereafter between the parties, I have no hesitation in stating it as my opinion that the neutrality heretofore observed should still be adhered to. From the change in the Government of Spain and the negotiation now depending, invited by the Cortes and accepted by the colonies, it may be presumed that their differences will be settled on the terms proposed by the colonies. Should the war be continued, the United States, regarding its occurrences, will always have it in their power to adopt such measures respecting it as their honor and interest may require.

Shortly after the general peace a band of adventurers took advantage of this conflict and of the facility which it afforded to establish a system of buccaneering in the neighboring seas, to the great annoyance of the commerce of the United States, and, as was represented, of that of other powers. Of this spirit and of its injurious bearing on the United States strong proofs were afforded by the establishment at Amelia Island, and the purposes to which it was made instrumental by this band in 1817, and by the occurrences which took place in other parts of Florida in 1818, the details of which in both instances are too well known to require to be now recited. I am satisfied had a less decisive course been adopted that the worst consequences would have resulted from it. We have seen that these checks, decisive as they were, were not sufficient to crush that piratical spirit. Many culprits brought within our limits have been condemned to suffer death, the punishment due to that atrocious crime. The decisions of upright and enlightened tribunals fall equally on all whose crimes subject them, by a fair interpretation of the law, to its censure. It belongs to the Executive not to suffer the executions under these decisions to transcend the great purpose for which punishment is necessary. The full benefit of example being secured, policy as well as humanity equally forbids that they should be carried further. I have acted on this principle, pardoning those who appear to have been led astray by ignorance of the criminality of the acts they had committed, and suffering the law to take effect on those only in whose favor no extenuating circumstances could be urged.

Great confidence is entertained that the late treaty with Spain, which has been ratified by both the parties, and the ratifications whereof have been exchanged, has placed the relations of the two countries on a basis of permanent friendship. The provision made by it for such of our citizens as have claims on Spain of the character described will, it is presumed, be very satisfactory to them, and the boundary which is established between the territories of the parties westward of the Mississippi, heretofore in dispute, has, it is thought, been settled on conditions just and advantageous to both. But to the acquisition of Florida too much importance can not be attached. It secures to the United States a territory important in itself, and whose importance is much increased by its bearing on many of the highest interests of the Union. It opens to several of the neighboring States a free passage to the ocean, through the Province ceded, by several rivers, having their sources high up within their limits. It secures us against all future annoyance from powerful Indian tribes. It gives us several excellent harbors in the Gulf of Mexico for ships of war of the largest size. It covers by its position in the Gulf the Mississippi and other great waters within our extended limits, and thereby enables the United States to afford complete protection to the vast and very valuable productions of our whole Western country, which find a market through those streams.

By a treaty with the British Government, bearing date on the 20th of October, 1818, the convention regulating the commerce between the United States and Great Britain, concluded on the 3d of July, 1815, which was about expiring, was revived and continued for the term of ten years from the time of its expiration. By that treaty, also, the differences which had arisen under the treaty of Ghent respecting the right claimed by the United States for their citizens to take and cure fish on the coast of His Britannic Majesty's dominions in America, with other differences on important interests, were adjusted to the satisfaction of both parties. No agreement has yet been entered into respecting the commerce between the United States and the British dominions in the West Indies and on this continent. The restraints imposed on that commerce by Great Britain, and reciprocated by the United States on a principle of defense, continue still in force.

The negotiation with France for the regulation of the commercial relations between the two countries, which in the course of the last summer had been commenced at Paris, has since been transferred to this city, and will be pursued on the part of the United States in the spirit of conciliation, and with an earnest desire that it may terminate in an arrangement satisfactory to both parties.

Our relations with the Barbary Powers are preserved in the same state and by the same means that were employed when I came into this office. As early as 1801 it was found necessary to send a squadron into the Mediterranean for the protection of our commerce, and no period has intervened, a short term excepted, when it was thought advisable to withdraw it. The great interests which the United States have in the Pacific, in commerce and in the fisheries, have also made it necessary to maintain a naval force there. In disposing of this force in both instances the most effectual measures in our power have been taken, without interfering with its other duties, for the suppression of the slave trade and of piracy in the neighboring seas.

The situation of the United States in regard to their resources, the extent of their revenue, and the facility with which it is raised affords a most gratifying spectacle. The payment of nearly $67,000,000 of the public debt, with the great progress made in measures of defense and in other improvements of various kinds since the late war, are conclusive proofs of this extraordinary prosperity, especially when it is recollected that these expenditures have been defrayed without a burthen on the people, the direct tax and excise having been repealed soon after the conclusion of the late war, and the revenue applied to these great objects having been raised in a manner not to be felt. Our great resources therefore remain untouched for any purpose which may affect the vital interests of the nation. For all such purposes they are inexhaustible. They are more especially to be found in the virtue, patriotism, and intelligence of our fellow-citizens, and in the devotion with which they would yield up by any just measure of taxation all their property in support of the rights and honor of their country.

Under the present depression of prices, affecting all the productions of the country and every branch of industry, proceeding from causes explained on a former occasion, the revenue has considerably diminished, the effect of which has been to compel Congress either to abandon these great measures of defense or to resort to loans or internal taxes to supply the deficiency. On the presumption that this depression and the deficiency in the revenue arising from it would be temporary, loans were authorized for the demands of the last and present year. Anxious to relieve my fellow-citizens in 1817 from every burthen which could be dispensed with, and the state of the Treasury permitting it, I recommended the repeal of the internal taxes, knowing that such relief was then peculiarly necessary in consequence of the great exertions made in the late war. I made that recommendation under a pledge that should the public exigencies require a recurrence to them at any time while I remained in this trust, I would with equal promptitude perform the duty which would then be alike incumbent on me. By the experiment now making it will be seen by the next session of Congress whether the revenue shall have been so augmented as to be adequate to all these necessary purposes. Should the deficiency still continue, and especially should it be probable that it would be permanent, the course to be pursued appears to me to be obvious. I am satisfied that under certain circumstances loans may be resorted to with great advantage. I am equally well satisfied, as a general rule, that the demands of the current year, especially in time of peace, should be provided for by the revenue of that year.

I have never dreaded, nor have I ever shunned, in any situation in which I have been placed making appeals to the virtue and patriotism of my fellow-citizens, well knowing that they could never be made in vain, especially in times of great emergency or for purposes of high national importance. Independently of the exigency of the case, many considerations of great weight urge a policy having in view a provision of revenue to meet to a certain extent the demands of the nation, without relying altogether on the precarious resource of foreign commerce. I am satisfied that internal duties and excises, with corresponding imposts on foreign articles of the same kind, would, without imposing any serious burdens on the people, enhance the price of produce, promote our manufactures, and augment the revenue, at the same time that they made it more secure and permanent.

The care of the Indian tribes within our limits has long been an essential part of our system, but, unfortunately, it has not been executed in a manner to accomplish all the objects intended by it. We have treated them as independent nations, without their having any substantial pretensions to that rank. The distinction has flattered their pride, retarded their improvement, and in many instances paved the way to their destruction. The progress of our settlements westward, supported as they are by a dense population, has constantly driven them back, with almost the total sacrifice of the lands which they have been compelled to abandon. They have claims on the magnanimity and, I may add, on the justice of this nation which we must all feel. We should become their real benefactors; we should perform the office of their Great Father, the endearing title which they emphatically give to the Chief Magistrate of our Union. Their sovereignty over vast territories should cease, in lieu of which the right of soil should be secured to each individual and his posterity in competent portions; and for the territory thus ceded by each tribe some reasonable equivalent should be granted, to be vested in permanent funds for the support of civil government over them and for the education of their children, for their instruction in the arts of husbandry, and to provide sustenance for them until they could provide it for themselves. My earnest hope is that Congress will digest some plan, founded on these principles, with such improvements as their wisdom may suggest, and carry it into effect as soon as it may be practicable.

Europe is again unsettled and the prospect of war increasing. Should the flame light up in any quarter, how far it may extend it is impossible to foresee. It is our peculiar felicity to be altogether unconnected with the causes which produce this menacing aspect elsewhere. With every power we are in perfect amity, and it is our interest to remain so if it be practicable on just conditions. I see no reasonable cause to apprehend variance with any power, unless it proceed from a violation of our maritime rights. In these contests, should they occur, and to whatever extent they may be carried, we shall be neutral; but as a neutral power we have rights which it is our duty to maintain. For like injuries it will be incumbent on us to seek redress in a spirit of amity, in full confidence that, injuring none, none would knowingly injure us. For more imminent dangers we should be prepared, and it should always be recollected that such preparation adapted to the circumstances and sanctioned by the judgment and wishes of our constituents can not fail to have a good effect in averting dangers of every kind. We should recollect also that the season of peace is best adapted to these preparations.

If we turn our attention, fellow-citizens, more immediately to the internal concerns of our country, and more especially to those on which its future welfare depends, we have every reason to anticipate the happiest results. It is now rather more than forty-four years since we declared our independence, and thirty-seven since it was acknowledged. The talents and virtues which were displayed in that great struggle were a sure presage of all that has since followed. A people who were able to surmount in their infant state such great perils would be more competent as they rose into manhood to repel any which they might meet in their progress. Their physical strength would be more adequate to foreign danger, and the practice of self-government, aided by the light of experience, could not fail to produce an effect equally salutary on all those questions connected with the internal organization. These favorable anticipations have been realized.

In our whole system, national and State, we have shunned all the defects which unceasingly preyed on the vitals and destroyed the ancient Republics. In them there were distinct orders, a nobility and a people, or the people governed in one assembly. Thus, in the one instance there was a perpetual conflict between the orders in society for the ascendency, in which the victory of either terminated in the overthrow of the government and the ruin of the state; in the other, in which the people governed in a body, and whose dominions seldom exceeded the dimensions of a county in one of our States, a tumultuous and disorderly movement permitted only a transitory existence. In this great nation there is but one order, that of the people, whose power, by a peculiarly happy improvement of the representative principle, is transferred from them, without impairing in the slightest degree their sovereignty, to bodies of their own creation, and to persons elected by themselves, in the full extent necessary for all the purposes of free, enlightened, and efficient government. The whole system is elective, the complete sovereignty being in the people, and every officer in every department deriving his authority from and being responsible to them for his conduct.

Our career has corresponded with this great outline. Perfection in our organization could not have been expected in the outset either in the National or State Governments or in tracing the line between their respective powers. But no serious conflict has arisen, nor any contest but such as are managed by argument and by a fair appeal to the good sense of the people, and many of the defects which experience had clearly demonstrated in both Governments have been remedied. By steadily pursuing this course in this spirit there is every reason to believe that our system will soon attain the highest degree of perfection of which human institutions are capable, and that the movement in all its branches will exhibit such a degree of order and harmony as to command the admiration and respect of the civilized world.

Our physical attainments have not been less eminent. Twenty-five years ago the river Mississippi was shut up and our Western brethren had no outlet for their commerce. What has been the progress since that time? The river has not only become the property of the United States from its source to the ocean, with all its tributary streams (with the exception of the upper part of the Red River only), but Louisiana, with a fair and liberal boundary on the western side and the Floridas on the eastern, have been ceded to us. The United States now enjoy the complete and uninterrupted sovereignty over the whole territory from St. Croix to the Sabine. New States, settled from among ourselves in this and in other parts, have been admitted into our Union in equal participation in the national sovereignty with the original States. Our population has augmented in an astonishing degree and extended in every direction. We now, fellow-citizens, comprise within our limits the dimensions and faculties of a great power under a Government possessing all the energies of any government ever known to the Old World, with an utter incapacity to oppress the people.

Entering with these views the office which I have just solemnly sworn to execute with fidelity and to the utmost of my ability, I derive great satisfaction from a knowledge that I shall be assisted in the several Departments by the very enlightened and upright citizens from whom I have received so much aid in the preceding term. With full confidence in the continuance of that candor and generous indulgence from my fellow-citizens at large which I have heretofore experienced, and with a firm reliance on the protection of Almighty God, I shall forthwith commence the duties of the high trust to which you have called me.

MARCH 5, 1821.

PROCLAMATIONS.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas information has been received that an atrocious murder, aggravated by the additional crime of robbery, was, on the 6th or 7th day of this present month, committed in the county of Alexandria and District of Columbia on William Seaver, late of this city; and

Whereas the apprehension and punishment of the murderer or murderers and his or their accessary or accessaries will be an example due to justice and humanity and every way salutary in its operation:

I have therefore thought fit to issue this my proclamation, hereby exhorting the citizens of the United States, and particularly those of this District, and requiring all officers, according to their respective stations, to use their utmost endeavors to apprehend and bring the principal or principals, accessary or accessaries, to the said murder to justice.

And I do moreover offer a reward of $300 for each principal, if there be more than one, and $150 for each accessary before the fact, if there be more than one, who shall be apprehended after the day of the date hereof and brought to justice, to be paid upon his conviction of the crime or crimes aforesaid.

In testimony whereof I have caused the seal of the United States to be affixed to these presents, and signed the same with my hand.

[SEAL.] Done at the city of Washington, this 10th day of July, A. D. 1821, and of the Independence of the United States the forty-sixth.

JAMES MONROE.

By the President:

JOHN QUINCY ADAMS,
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES.

A PROCLAMATION.

Whereas the Congress of the United States, by a joint resolution of the 2d day of March last, entitled "Resolution providing for the admission of the State of Missouri into the Union on a certain condition," did determine and declare "that Missouri should be admitted into this Union on an equal footing with the original States in all respects whatever upon the fundamental condition that the fourth clause of the twenty-sixth section of the third article of the constitution submitted on the part of said State to Congress shall never be construed to authorize the passage of any law, and that no law shall be passed in conformity thereto, by which any citizen of either of the States of this Union shall be excluded from the enjoyment of any of the privileges and immunities to which such citizen is entitled under the Constitution of the United States: *Provided*, That the legislature of said State, by a solemn public act, shall declare the assent of the said State to the said fundamental condition, and shall transmit to the President of the United States on or before the first Monday in November next an authentic copy of said act, upon the receipt whereof the President, by proclamation, shall announce the fact, whereupon, and without any further proceeding on the part of Congress, the admission of the said State into this Union shall be considered as complete;" and

Whereas by a solemn public act of the assembly of said State of Missouri, passed on the 26th of June, in the present year, entitled "A solemn public act declaring the assent of this State to the fundamental condition contained in a resolution passed by the Congress of the United States providing for the admission of the State of Missouri into the Union on a certain condition," an authentic copy whereof has been communicated to me, it is solemnly and publicly enacted and declared that that State has assented, and does assent, that the fourth clause of the twenty-sixth section of the third article of the constitution of said State "shall never be construed to authorize the passage of any law, and that no law shall be passed in conformity thereto, by which any citizen of either of the United States shall be excluded from the enjoyment of any of the privileges and immunities to which such citizens are entitled under the Constitution of the United States:"

Now, therefore, I, James Monroe, President of the United States, in pursuance of the resolution of Congress aforesaid, have issued this my proclamation, announcing the fact that the said State of Missouri has assented to the fundamental condition required by the resolution of Congress aforesaid, whereupon the admission of the said State of Missouri into this Union is declared to be complete.

In testimony whereof I have caused the seal of the United States of America to be affixed to these presents, and signed the same with my hand.

[SEAL.] Done at the city of Washington, the 10th day of August, A. D. 1821, and of the Independence of the said United States of America the forty-sixth.

JAMES MONROE.

By the President:

JOHN QUINCY ADAMS,
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas by an act of the Congress of the United States of the 3d of March, 1815, so much of the several acts imposing duties on the ships and vessels and on goods, wares, and merchandise imported into the United States as imposed a discriminating duty of tonnage between foreign vessels and vessels of the United States and between goods imported into the United States in foreign vessels and vessels of the United States were repealed so far as the same respected the produce or manufacture of the nation to which such foreign ship or vessel might belong, such repeal to take effect in favor of any foreign nation whenever the President of the United States should be satisfied that the discriminating or countervailing duties of such foreign nation so far as they operate to the disadvantage of the United States have been abolished; and

Whereas satisfactory proof has been received by me, through the chargé d'affaires of the United States in Sweden, under date of the 30th day of January, 1821, that thenceforward all discriminating or countervailing duties in the Kingdom of Norway so far as they operated to the disadvantage of the United States had been and were abolished:

Now, therefore, I, James Monroe, President of the United States of

America, do hereby declare and proclaim that so much of the several acts imposing duties on the tonnage of ships and vessels and on goods, wares, and merchandise imported into the United States as imposed a discriminating duty of tonnage between vessels of the Kingdom of Norway and vessels of the United States and between goods imported into the United States in vessels of the said Kingdom of Norway and vessels of the United States are repealed so far as the same respect the produce or manufacture of the said Kingdom of Norway.

Given under my hand, at the city of Washington, this 20th day of August, A. D. 1821, and the forty-sixth year of the Independence of the United States.

JAMES MONROE.

By the President:

JOHN QUINCY ADAMS,
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas by an act of the Congress of the United States of the 3d of March, 1815, so much of the several acts imposing duties on the ships and vessels and on goods, wares, and merchandise imported into the United States as imposed a discriminating duty of tonnage between foreign vessels and vessels of the United States and between goods imported into the United States in foreign vessels and vessels of the United States were repealed so far as the same respected the produce or manufacture of the nation to which such foreign ship or vessel might belong, such repeal to take effect in favor of any foreign nation whenever the President of the United States should be satisfied that the discriminating or countervailing duties of such foreign nation so far as they operate to the disadvantage of the United States have been abolished; and

Whereas satisfactory proof has been received by me, under date of the 11th of May last, that thenceforward all discriminating or countervailing duties of the Dukedom of Oldenburg so far as they might operate to the disadvantage of the United States should be and were abolished upon His Highness the Duke of Oldenburg's being duly certified of a reciprocal act on the part of the United States:

Now, therefore, I, James Monroe, President of the United States of America, do hereby declare and proclaim that so much of the several acts imposing duties on the tonnage of ships and vessels and on goods, wares, and merchandise imported into the United States as imposed a discriminating duty of tonnage between vessels of the Dukedom of Oldenburg and vessels of the United States and between goods imported into the United States in vessels of the said Dukedom of Oldenburg and vessels of the United States are repealed so far as the same respect the produce or manufacture of the said Dukedom of Oldenburg.

Given under my hand, at the city of Washington, this 22d day of November, A. D. 1821, and the forty-sixth year of the Independence of the United States.

JAMES MONROE.

By the President:
JOHN QUINCY ADAMS,
Secretary of State.

FIFTH ANNUAL MESSAGE.

WASHINGTON, *December 3, 1821.*

Fellow-Citizens of the Senate and of the House of Representatives:

The progress of our affairs since the last session has been such as may justly be claimed and expected under a Government deriving all its powers from an enlightened people, and under laws formed by their representatives, on great consideration, for the sole purpose of promoting the welfare and happiness of their constituents. In the execution of those laws and of the powers vested by the Constitution in the Executive, unremitted attention has been paid to the great objects to which they extend. In the concerns which are exclusively internal there is good cause to be satisfied with the result. The laws have had their due operation and effect. In those relating to foreign powers, I am happy to state that peace and amity are preserved with all by a strict observance on both sides of the rights of each. In matters touching our commercial intercourse, where a difference of opinion has existed as to the conditions on which it should be placed, each party has pursued its own policy without giving just cause of offense to the other. In this annual communication, especially when it is addressed to a new Congress, the whole scope of our political concerns naturally comes into view, that errors, if such have been committed, may be corrected; that defects which have become manifest may be remedied; and, on the other hand, that measures which were adopted on due deliberation, and which experience has shewn are just in themselves and essential to the public welfare, should be persevered in and supported. In performing this necessary and very important duty I shall endeavor to place before you on its merits every subject that is thought to be entitled to your particular attention in as distinct and clear a light as I may be able.

By an act of the 3d of March, 1815, so much of the several acts as imposed higher duties on the tonnage of foreign vessels and on the manufactures and productions of foreign nations when imported into the United States in foreign vessels than when imported in vessels of the

United States were repealed so far as respected the manufactures and productions of the nation to which such vessels belonged, on the condition that the repeal should take effect only in favor of any foreign nation when the Executive should be satisfied that such discriminating duties to the disadvantage of the United States had likewise been repealed by such nation. By this act a proposition was made to all nations to place our commerce with each on a basis which it was presumed would be acceptable to all. Every nation was allowed to bring its manufactures and productions into our ports and to take the manufactures and productions of the United States back to their ports in their own vessels on the same conditions that they might be transported in vessels of the United States, and in return it was required that a like accommodation should be granted to the vessels of the United States in the ports of other powers. The articles to be admitted or prohibited on either side formed no part of the proposed arrangement. Each party would retain the right to admit or prohibit such articles from the other as it thought proper, and on its own conditions.

When the nature of the commerce between the United States and every other country was taken into view, it was thought that this proposition would be considered fair, and even liberal, by every power. The exports of the United States consist generally of articles of the first necessity and of rude materials in demand for foreign manufactories, of great bulk, requiring for their transportation many vessels, the return for which in the manufactures and productions of any foreign country, even when disposed of there to advantage, may be brought in a single vessel. This observation is the more especially applicable to those countries from which manufactures alone are imported, but it applies in a great extent to the European dominions of every European power and in a certain extent to all the colonies of those powers. By placing, then, the navigation precisely on the same ground in the transportation of exports and imports between the United States and other countries it was presumed that all was offered which could be desired. It seemed to be the only proposition which could be devised which would retain even the semblance of equality in our favor.

Many considerations of great weight gave us a right to expect that this commerce should be extended to the colonies as well as to the European dominions of other powers. With the latter, especially with countries exclusively manufacturing, the advantage was manifestly on their side. An indemnity for that loss was expected from a trade with the colonies, and with the greater reason as it was known that the supplies which the colonies derived from us were of the highest importance to them, their labor being bestowed with so much greater profit in the culture of other articles; and because, likewise, the articles of which those supplies consisted, forming so large a proportion of the exports of the United States, were never admitted into any of the ports of Europe except in cases of great emergency to avert a serious calamity. When no article is admitted which is not required to supply the wants of the party admitting it, and admitted then not in favor of any particular country to the disadvantage of others, but on conditions equally applicable to all, it seems just that the articles thus admitted and invited should be carried thither in the vessels of the country affording such supply and that the reciprocity should be found in a corresponding accommodation on the other side. By allowing each party to participate in the transportation of such supplies on the payment of equal tonnage a strong proof was afforded of an accommodating spirit. To abandon to it the transportation of the whole would be a sacrifice which ought not to be expected. The demand in the present instance would be the more unreasonable in consideration of the great inequality existing in the trade with the parent country.

Such was the basis of our system as established by the act of 1815 and such its true character. In the year in which this act was passed a treaty was concluded with Great Britain, in strict conformity with its principles, in regard to her European dominions. To her colonies, however, in the West Indies and on this continent it was not extended, the British Government claiming the exclusive supply of those colonies, and from our own ports, and of the productions of the colonies in return in her own vessels. To this claim the United States could not assent, and in consequence each party suspended the intercourse in the vessels of the other by a prohibition which still exists.

The same conditions were offered to France, but not accepted. Her Government has demanded other conditions more favorable to her navigation, and which should also give extraordinary encouragement to her manufactures and productions in ports of the United States. To these it was thought improper to accede, and in consequence the restrictive regulations which had been adopted on her part, being countervailed on the part of the United States, the direct commerce between the two countries in the vessels of each party has been in a great measure suspended. It is much to be regretted that, although a negotiation has been long pending, such is the diversity of views entertained on the various points which have been brought into discussion that there does not appear to be any reasonable prospect of its early conclusion.

It is my duty to state, as a cause of very great regret, that very serious differences have occurred in this negotiation respecting the construction of the eighth article of the treaty of 1803, by which Louisiana was ceded to the United States, and likewise respecting the seizure of the *Apollo*, in 1820, for a violation of our revenue laws. The claim of the Government of France has excited not less surprise than concern, because there does not appear to be a just foundation for it in either instance. By the eighth article of the treaty referred to it is stipulated that after the expiration of twelve years, during which time it was provided by the seventh or preceding article that the vessels of France and Spain should be admitted into the ports of the ceded territory without paying higher duties on merchandise or tonnage on the vessels than such as were paid by citizens of the United States, the ships of France should forever afterwards be placed on the footing of the most favored nation. By the obvious construction of this article it is presumed that it was intended that no favor should be granted to any power in those ports to which France should not be forthwith entitled, nor should any accommodation be allowed to another power on conditions to which she would not also be entitled on the same conditions. Under this construction no favor or accommodation could be granted to any power to the prejudice of France. By allowing the equivalent allowed by those powers she would always stand in those ports on the footing of the most favored nation. But if this article should be so construed as that France should enjoy, of right, and without paying the equivalent, all the advantages of such conditions as might be allowed to other powers in return for important concessions made by them, then the whole character of the stipulation would be changed. She would not be placed on the footing of the most favored nation, but on a footing held by no other nation. She would enjoy all advantages allowed to them in consideration of like advantages allowed to us, free from every and any condition whatever.

As little cause has the Government of France to complain of the seizure of the *Apollo* and the removal of other vessels from the waters of the St. Marys. It will not be denied that every nation has a right to regulate its commercial system as it thinks fit and to enforce the collection of its revenue, provided it be done without an invasion of the rights of other powers. The violation of its revenue laws is an offense which all nations punish, the punishment of which gives no just cause of complaint to the power to which the offenders belong, provided it be extended to all equally. In this case every circumstance which occurred indicated a fixed purpose to violate our revenue laws. Had the party intended to have pursued a fair trade he would have entered our ports and paid the duties; or had he intended to carry on a legitimate circuitous commerce with the United States he would have entered the port of some other power, landed his goods at the custom-house according to law, and reshipped and sent them in the vessel of such power, or of some other power which might lawfully bring them, free from such duties, to a port of the United States. But the conduct of the party in this case was altogether different. He entered the river St. Marys, the boundary line between the United States and Florida, and took his position on the Spanish side, on which in the whole extent of the river there was no town, no port or custom-house, and scarcely any settlement. His purpose, therefore, was not to sell his goods to the inhabitants of Florida, but to citizens of the United States, in exchange for their productions, which could not be done without a direct and palpable breach of our laws. It is known that a regular systematic plan had been formed by certain persons for the violation of our revenue system, which made it the more necessary to check the proceeding in its commencement.

That the unsettled bank of a river so remote from the Spanish garrisons and population could give no protection to any party in such a practice is believed to be in strict accord with the law of nations. It would not have comported with a friendly policy in Spain herself to have established a custom-house there, since it could have subserved no other purpose than to elude our revenue law. But the Government of Spain did not adopt that measure. On the contrary, it is understood that the Captain-General of Cuba, to whom an application to that effect was made by these adventurers, had not acceded to it. The condition of those Provinces for many years before they were ceded to the United States need not now be dwelt on. Inhabited by different tribes of Indians and an inroad for every kind of adventurer, the jurisdiction of Spain may be said to have been almost exclusively confined to her garrisons. It certainly could not extend to places where she had no authority. The rules, therefore, applicable to settled countries governed by laws could not be deemed so to the deserts of Florida and to the occurrences there. It merits attention also that the territory had then been ceded to the United States by a treaty the ratification of which had not been refused, and which has since been performed. Under any circumstances, therefore, Spain became less responsible for such acts committed there, and the United States more at liberty to exercise authority to prevent so great a mischief. The conduct of this Government has in every instance been conciliatory and friendly to France. The construction of our revenue law in its application to the cases which have formed the ground of such serious complaint on her part and the order to the collector of St. Marys, in accord with it, were given two years before these cases occurred, and in reference to a breach which was attempted by the subjects of another power. The application, therefore, to the cases in question was inevitable. As soon as the treaty by which these Provinces were ceded to the United States was ratified, and all danger of further breach of our revenue laws ceased, an order was given for the release of the vessel which had been seized and for the dismission of the libel which had been instituted against her.

The principles of this system of reciprocity, founded on the law of the 3d of March, 1815, have been since carried into effect with the Kingdoms of the Netherlands, Sweden, Prussia, and with Hamburg, Bremen, Lubeck, and Oldenburg, with a provision made by subsequent laws in regard to the Netherlands, Prussia, Hamburg, and Bremen that such produce and manufactures as could only be, or most usually were, first shipped from the ports of those countries, the same being imported in vessels wholly belonging to their subjects, should be considered and admitted as their own manufactures and productions.

The Government of Norway has by an ordinance opened the ports of that part of the dominions of the King of Sweden to the vessels of the

United States upon the payment of no other or higher duties than are paid by Norwegian vessels, from whatever place arriving and with whatever articles laden. They have requested the reciprocal allowance for the vessels of Norway in the ports of the United States. As this privilege is not within the scope of the act of the 3d of March, 1815, and can only be granted by Congress, and as it may involve the commercial relations of the United States with other nations, the subject is submitted to the wisdom of Congress.

I have presented thus fully to your view our commercial relations with other powers, that, seeing them in detail with each power, and knowing the basis on which they rest, Congress may in its wisdom decide whether any change ought to be made, and, if any, in what respect. If this basis is unjust or unreasonable, surely it ought to be abandoned; but if it be just and reasonable, and any change in it will make concessions subversive of equality and tending in its consequences to sap the foundations of our prosperity, then the reasons are equally strong for adhering to the ground already taken, and supporting it by such further regulations as may appear to be proper, should any additional support be found necessary.

The question concerning the construction of the first article of the treaty of Ghent has been, by a joint act of the representatives of the United States and of Great Britain at the Court of St. Petersburg, submitted to the decision of His Imperial Majesty the Emperor of Russia. The result of that submission has not yet been received. The commissioners under the fifth article of that treaty not having been able to agree upon their decision, their reports to the two Governments, according to the provisions of the treaty, may be expected at an early day.

With Spain the treaty of February 22, 1819, has been partly carried into execution. Possession of East and West Florida has been given to the United States, but the officers charged with that service by an order from His Catholic Majesty, delivered by his minister to the Secretary of State, and transmitted by a special agent to the Captain-General of Cuba, to whom it was directed and in whom the government of those Provinces was vested, have not only omitted, in contravention of the order of their Sovereign, the performance of the express stipulation to deliver over the archives and documents relating to the property and sovereignty of those Provinces, all of which it was expected would have been delivered either before or when the troops were withdrawn, but defeated since every effort of the United States to obtain them, especially those of the greatest importance. This omission has given rise to several incidents of a painful nature, the character of which will be fully disclosed by the documents which will be hereafter communicated.

In every other circumstance the law of the 3d of March last, for carrying into effect that treaty, has been duly attended to. For the execution of that part which preserved in force, for the government of the inhabitants for the term specified, all the civil, military, and judicial powers exercised by the existing government of those Provinces an adequate number of officers, as was presumed, were appointed, and ordered to their respective stations. Both Provinces were formed into one Territory, and a governor appointed for it; but in consideration of the preexisting division and of the distance and difficulty of communication between Pensacola, the residence of the governor of West Florida, and St. Augustine, that of the governor of East Florida, at which places the inconsiderable population of each Province was principally collected, two secretaries were appointed, the one to reside at Pensacola and the other at St. Augustine. Due attention was likewise paid to the execution of the laws of the United States relating to the revenue and the slave trade, which were extended to these Provinces. The whole Territory was divided into three collection districts, that part lying between the river St. Marys and Cape Florida forming one, that from the Cape to the Apalachicola another, and that from the Apalachicola to the Perdido the third. To these districts the usual number of revenue officers were appointed; and to secure the due operation of these laws one judge and a district attorney were appointed to reside at Pensacola, and likewise one judge and a district attorney to reside at St. Augustine, with a specified boundary between them; and one marshal for the whole, with authority to appoint a deputy. In carrying this law into effect, and especially that part relating to the powers of the existing government of those Provinces, it was thought important, in consideration of the short term for which it was to operate and the radical change which would be made at the approaching session of Congress, to avoid expense, to make no appointment which should not be absolutely necessary to give effect to those powers, to withdraw none of our citizens from their pursuits, whereby to subject the Government to claims which could not be gratified and the parties to losses which it would be painful to witness.

It has been seen with much concern that in the performance of these duties a collision arose between the governor of the Territory and the judge appointed for the western district. It was presumed that the law under which this transitory government was organized, and the commissions which were granted to the officers who were appointed to execute each branch of the system, and to which the commissions were adapted, would have been understood in the same sense by them in which they were understood by the Executive. Much allowance is due to officers employed in each branch of this system, and the more so as there is good cause to believe that each acted under the conviction that he possessed the power which he undertook to exercise. Of the officer holding the principal station, I think it proper to observe that he accepted it with reluctance, in compliance with the invitation given him, and from a high sense of duty to his country, being willing to contribute to the consummation of an event which would insure complete protection to an important part of our Union, which had suffered much from incursion and invasion, and to the defense of which his very gallant and patriotic services had been so signally and usefully devoted.

From the intrinsic difficulty of executing laws deriving their origin from different sources, and so essentially different in many important circumstances, the advantage, and indeed the necessity, of establishing as soon as may be practicable a well-organized government over that Territory on the principles of our system is apparent. This subject is therefore recommended to the early consideration of Congress.

In compliance with an injunction of the law of the 3d of March last, three commissioners have also been appointed and a board organized for carrying into effect the eleventh article of the treaty above recited, making provision for the payment of such of our citizens as have well-founded claims on Spain of the character specified by that treaty. This board has entered on its duties and made some progress therein. The commissioner and surveyor of His Catholic Majesty, provided for by the fourth article of the treaty, have not yet arrived in the United States, but are soon expected. As soon as they do arrive corresponding appointments will be made and every facility be afforded for the due execution of this service.

The Government of His Most Faithful Majesty since the termination of the last session of Congress has been removed from Rio de Janeiro to Lisbon, where a revolution similar to that which had occurred in the neighboring Kingdom of Spain had in like manner been sanctioned by the accepted and pledged faith of the reigning monarch. The diplomatic intercourse between the United States and the Portuguese dominions, interrupted by this important event, has not yet been resumed, but the change of internal administration having already materially affected the commercial intercourse of the United States with the Portuguese dominions, the renewal of the public missions between the two countries appears to be desirable at an early day.

It is understood that the colonies in South America have had great success during the present year in the struggle for their independence. The new Government of Colombia has extended its territories and considerably augmented its strength, and at Buenos Ayres, where civil dissensions had for some time before prevailed, greater harmony and better order appear to have been established. Equal success has attended their efforts in the Provinces on the Pacific. It has long been manifest that it would be impossible for Spain to reduce these colonies by force, and equally so that no conditions short of their independence would be satisfactory to them. It may therefore be presumed, and it is earnestly hoped, that the Government of Spain, guided by enlightened and liberal councils, will find it to comport with its interests and due to its magnanimity to terminate this exhausting controversy on that basis. To promote this result by friendly counsel with the Government of Spain will be the object of the Government of the United States.

In conducting the fiscal operations of the year it has been found necessary to carry into full effect the act of the last session of Congress authorizing a loan of $5,000,000. This sum has been raised at an average premium of $5.59 per centum upon stock bearing an interest at the rate of 5 per cent per annum, redeemable at the option of the Government after the 1st day of January, 1835.

There has been issued under the provisions of this act $4,735,296.30 of 5 per cent stock, and there has been or will be redeemed during the year $3,197,030.71 of Louisiana 6 per cent deferred stock and Mississippi stock. There has therefore been an actual increase of the public debt contracted during the year of $1,538,266.69.

The receipts into the Treasury from the 1st of January to the 30th of September last have amounted to $16,219,197.70, which, with the balance of $1,198,461.21 in the Treasury on the former day, make the aggregate sum of $17,417,658.91. The payments from the Treasury during the same period have amounted to $15,655,288.47, leaving in the Treasury on the last-mentioned day the sum of $1,762,370.44. It is estimated that the receipts of the fourth quarter of the year will exceed the demands which will be made on the Treasury during the same period, and that the amount in the Treasury on the 30th of September last will be increased on the 1st day of January next.

At the close of the last session it was anticipated that the progressive diminution of the public revenue in 1819 and 1820, which had been the result of the languid state of our foreign commerce in those years, had in the latter year reached its extreme point of depression. It has, however, been ascertained that that point was reached only at the termination of the first quarter of the present year. From that time until the 30th of September last the duties secured have exceeded those of the corresponding quarters of the last year $1,172,000, whilst the amount of debentures issued during the three first quarters of this year is $952,000 less than that of the same quarters of the last year.

There are just grounds to believe that the improvement which has occurred in the revenue during the last-mentioned period will not only be maintained, but that it will progressively increase through the next and several succeeding years, so as to realize the results which were presented upon that subject by the official reports of the Treasury at the commencement of the last session of Congress.

Under the influence of the most unfavorable circumstances the revenue for the next and subsequent years to the year 1825 will exceed the demands at present authorized by law.

It may fairly be presumed that under the protection given to domestic manufactures by the existing laws we shall become at no distant period a manufacturing country on an extensive scale. Possessing as we do the raw materials in such vast amount, with a capacity to augment them to an indefinite extent; raising within the country aliment of every kind to an amount far exceeding the demand for home consumption, even in the most unfavorable years, and to be obtained always at a very moderate price; skilled also, as our people are, in the mechanic arts and in every improvement calculated to lessen the demand for and the price of labor, it is manifest that their success in every branch of domestic industry may and will be carried, under the encouragement given by the present duties, to an extent to meet any demand which under a fair competition may be made upon it.

A considerable increase of domestic manufactures, by diminishing the importation of foreign, will probably tend to lessen the amount of the public revenue. As, however, a large proportion of the revenue which is derived from duties is raised from other articles than manufactures, the demand for which will increase with our population, it is believed that a fund will still be raised from that source adequate to the greater part of the public expenditures, especially as those expenditures, should we continue to be blessed with peace, will be diminished by the completion of the fortifications, dockyards, and other public works, by the augmentation of the Navy to the point to which it is proposed to carry it, and by the payment of the public debt, including pensions for military services.

It can not be doubted that the more complete our internal resources and the less dependent we are on foreign powers for every national as well as domestic purpose the greater and more stable will be the public felicity. By the increase of domestic manufactures will the demand for the rude materials at home be increased, and thus will the dependence of the several parts of our Union on each other and the strength of the Union itself be proportionably augmented. In this process, which is very desirable, and inevitable under the existing duties, the resources which obviously present themselves to supply a deficiency in the revenue, should it occur, are the interests which may derive the principal benefit from the change. If domestic manufactures are raised by duties on foreign, the deficiency in the fund necessary for public purposes should be supplied by duties on the former. At the last session it seemed doubtful whether the revenue derived from the present sources would be adequate to all the great purposes of our Union, including the construction of our fortifications, the augmentation of the Navy, and the protection of our commerce against the dangers to which it is exposed. Had the deficiency been such as to subject us to the necessity either to abandon those measures of defense or to resort to other means for adequate funds, the course presented to the adoption of a virtuous and enlightened people appeared to be a plain one. It must be gratifying to all to know that this necessity does not exist. Nothing, however, in contemplation of such important objects, which can be easily provided for, should be left to hazard. It is thought that the revenue may receive an augmentation from the existing sources, and in a manner to aid our manufactures, without hastening prematurely the result which has been suggested. It is believed that a moderate additional duty on certain articles would have that effect, without being liable to any serious objection.

The examination of the whole coast, for the construction of permanent fortifications, from St. Croix to the Sabine, with the exception of part of the territory lately acquired, will be completed in the present year, as will be the survey of the Mississippi, under the resolution of the House of Representatives, from the mouth of the Ohio to the ocean, and likewise of the Ohio from Louisville to the Mississippi. A progress corresponding with the sums appropriated has also been made in the construction of these fortifications at the points designated. As they will form a system of defense for the whole maritime frontier, and in consequence for the interior, and are to last for ages, the greatest care has been taken to fix the position of each work and to form it on such a scale as will be adequate to the purpose intended by it. All the inlets and assailable parts of our Union have been minutely examined, and positions taken with a view to the best effect, observing in every instance a just regard for economy. Doubts, however, being entertained as to the propriety of the position and extent of the work at Dauphine Island, further progress in it was suspended soon after the last session of Congress, and an order given to the Board of Engineers and Naval Commissioners to make a further and more minute examination of it in both respects, and to report the result without delay.

Due progress has been made in the construction of vessels of war according to the law providing for the gradual augmentation of the Navy, and to the extent of existing appropriations. The vessels authorized by the act of 1820 have all been completed and are now in actual service. None of the larger ships have been or will be launched for the present, the object being to protect all which may not be required for immediate service from decay by suitable buildings erected over them. A squadron has been maintained, as heretofore, in the Mediterranean, by means whereof peace has been preserved with the Barbary Powers. This squadron has been reduced the present year to as small a force as is compatible with the fulfillment of the object intended by it. From past experience and the best information respecting the views of those powers it is distinctly understood that should our squadron be withdrawn they would soon recommence their hostilities and depredations upon our commerce. Their fortifications have lately been rebuilt and their maritime force increased. It has also been found necessary to maintain a naval force on the Pacific for the protection of the very important interests of our citizens engaged in commerce and the fisheries in that sea. Vessels have likewise been employed in cruising along the Atlantic coast, in the Gulf of Mexico, on the coast of Africa, and in the neighboring seas. In the latter many piracies have been committed on our commerce, and so extensive was becoming the range of those unprincipled adventurers that there was cause to apprehend, without a timely and decisive effort to suppress them, the worst consequences would ensue. Fortunately, a considerable check has been given to that spirit by our cruisers, who have succeeded in capturing and destroying several of their vessels. Nevertheless, it is considered an object of high importance to continue these cruises until the practice is entirely suppressed. Like success has attended our efforts to suppress the slave trade. Under the flag of the United States and the sanction of their papers the trade may be considered as entirely suppressed, and if any of our citizens are engaged in it under the flags and papers of other powers, it is only from a respect to the rights of those powers that these offenders are not seized and brought home to receive the punishment which the laws inflict. If every other power should adopt the same policy and pursue the same vigorous means for carrying it into effect, the trade could no longer exist.

Deeply impressed with the blessings which we enjoy, and of which we have such manifold proofs, my mind is irresistibly drawn to that Almighty Being, the great source from whence they proceed and to whom our most grateful acknowledgments are due.

JAMES MONROE.

SPECIAL MESSAGES.

WASHINGTON, *December 16, 1821.*

To the Senate and House of Representatives of the United States:

I transmit to Congress a letter from the Secretary of the Treasury, inclosing the report of the commissioners appointed in conformity with the provisions of "An act to authorize the building of light-houses therein mentioned, and for other purposes," approved the 3d of March, 1821.

JAMES MONROE.

WASHINGTON, *December 16, 1821.*

To the House of Representatives of the United States:

By a resolution of Congress approved on the 27th of March, 1818, it was directed that the journal, acts, and proceedings of the Convention which formed the present Constitution of the United States should be published, under the direction of the President of the United States, together with the secret journals of the acts and proceedings, and the foreign correspondence (with a certain exception), of the Congress of the United States from the first meeting thereof down to the date of the ratification of the definitive treaty of peace between Great Britain and the United States, in the year 1783, and that 1,000 copies thereof should be printed, of which one copy should be furnished to each member of that (the

Fifteenth) Congress, and the residue should remain subject to the future disposition of Congress.

And by a resolution of Congress approved on the 21st April, 1820, it was provided that the secret journal, together with all the papers and documents connected with that journal, and all other papers and documents heretofore considered confidential, of the old Congress, from the date of the ratification of the definitive treaty of the year 1783 to the formation of the present Government, which were remaining in the office of the Secretary of State, should be published under the direction of the President of the United States, and that 1,000 copies thereof should be printed and deposited in the Library subject to the disposition of Congress.

In pursuance of these two resolutions, 1,000 copies of the journals and acts of the Convention which formed the Constitution have been heretofore printed and placed at the disposal of Congress, and 1,000 copies of the secret journals of the Congress of the Confederation, complete, have been printed, 250 copies of which have been reserved to comply with the direction of furnishing one copy to each member of the Fifteenth Congress; the remaining 750 copies have been deposited in the Library and are now at the disposal of Congress.

By the general appropriation act of 9th April, 1818, the sum of $10,000 was appropriated for defraying the expenses of printing done pursuant to the resolution of the 27th of March of that year. No appropriation has yet been made to defray the expenses incident to the execution of the resolution of 21st April, 1820. The whole expense hitherto incurred in carrying both resolutions into effect has exceeded by $542.56 the appropriation of April, 1818. This balance remains due to the printers, and is included in the estimates of appropriation for the year 1822. That part of the resolution of the 27th March, 1818, which directs the publication of the foreign correspondence of the Congress of the Confederation remains yet to be executed, and a further appropriation will be necessary for carrying it into effect.

JAMES MONROE.

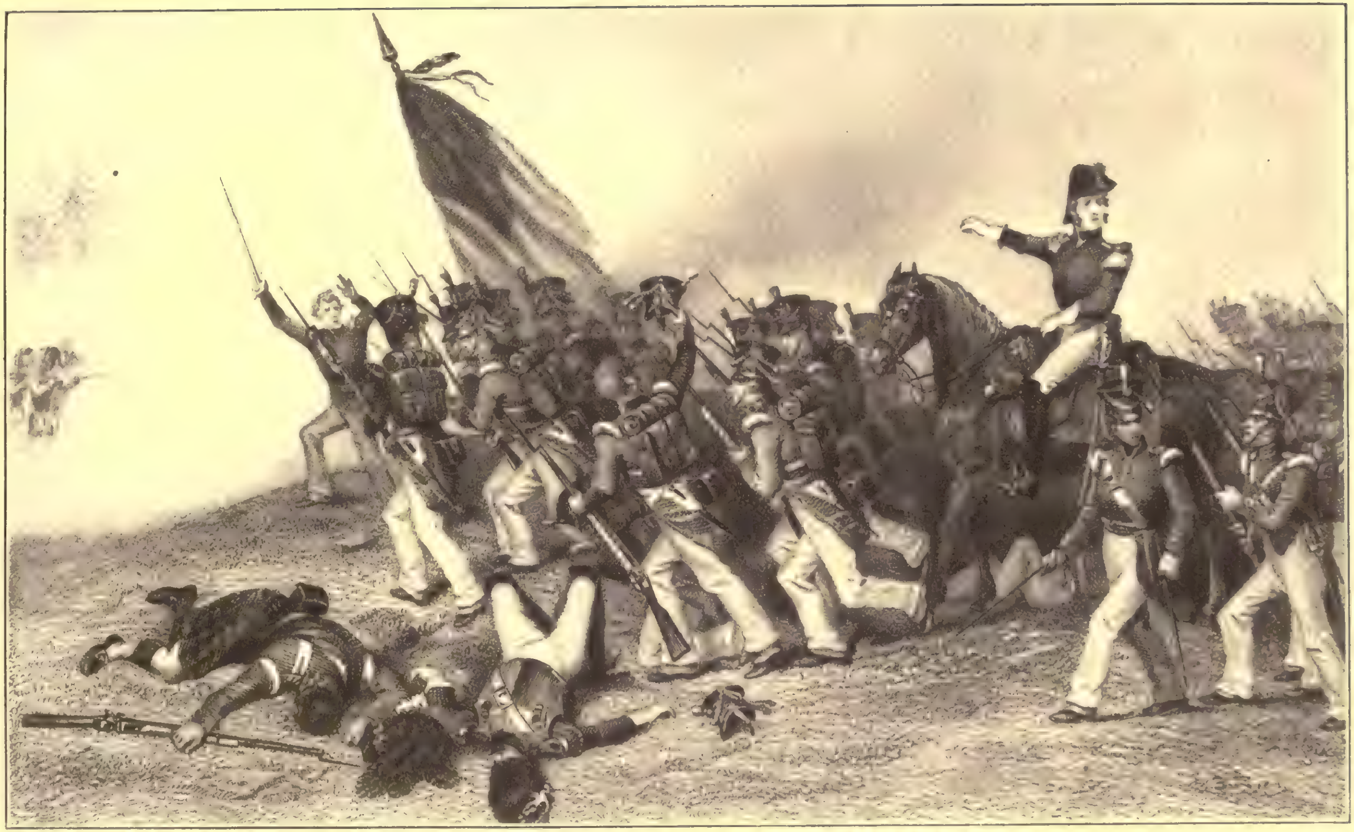
DECEMBER 30, 1821.

To the Senate of the United States:

I transmit to the Senate a treaty of peace and amity concluded between the United States and the Dey and Regency of Algiers on the 23d of December, 1816.

This treaty is in all respects the same in its provisions with that which had been concluded on the 30th of June, 1815, and was ratified, by and with the advice and consent of the Senate, on the 26th of December of that year, with the exception of one additional and explanatory article.

The circumstances which have occasioned the delay in laying the present treaty before the Senate for their advice and consent to its ratifica-



THE BATTLE OF CHIPPEWA PLAINS, CANADA, 1814

THE BATTLE OF CHIPPEWA PLAINS, CANADA

July 5, 1814

An American force of some 3500 men, under the command of Gen. Jacob Brown, crossed the Niagara River and captured Fort Erie on July 3, 1814. Following this success, Brown's army resumed its march on the morning of the 4th, its object being to meet and vanquish the British army which was gathering in force at Chippewa Plains, sixteen miles distant. Brigadier-General Winfield Scott's brigade was sent ahead and, after an arduous march over obstructed roads, came upon the British at sunset, but finding them strongly posted he fell back to await the balance of Brown's army, which arrived during the night. Next morning Brown decided to cross the Chippewa River and attack. When his troops advanced to construct the bridge they were thrown in a panic by the sight of the British army crossing the river to assail them. Scott's brigade was left to bear the brunt of the attack. He did not expect a battle and had prepared for a Fourth of July celebration. When he received word of the British advance, however, he marched his men over the bridge and charged. Almost simultaneously the British charged. The two lines drew closer together, collided, and then the British broke and fled. The British numbered 2100, and Scott's brigade 1900. See the article entitled "Chippewa Plains, Canada, Battle of," in the Encyclopedic Index.

tion are, that having been received in the spring of the year 1817, during the recess of the Senate, in the interval between the time when the Department of State was vacated by its late Secretary and the entrance of his successor upon the duties of the office, and when a change also occurred of the chief clerk of the Department, it was not recollected by the officers of the Department that it remained without the constitutional sanction of the Senate until shortly before the commencement of the present session. The documents explanatory of the additional articles are likewise herewith transmitted.

JAMES MONROE.

WASHINGTON, *January 7, 1822.*

To the Congress of the United States:

I transmit a report of the Secretary of the Navy, together with a survey of the coast of North Carolina, made in pursuance of a resolution of Congress of the 19th January, 1819.

JAMES MONROE.

WASHINGTON, *January 8, 1822.*

To the Senate and House of Representatives of the United States:

In pursuance of a joint resolution of the two Houses of Congress of the 3d of March, 1821, authorizing the President to cause such number of astronomical observations to be made by methods which might, in his judgment, be best adapted to insure a correct determination of the longitude of the Capitol, in the city of Washington, from Greenwich or some other known meridian in Europe, and that he cause the data, with accurate calculations on statements founded thereon, to be laid before them at their present session, I herewith transmit to Congress the report made by William Lambert, who was selected by me on the 10th of April last to perform the service required by that resolution.

As no compensation is authorized by law for the execution of the duties assigned to Mr. Lambert, it is submitted to the discretion of Congress to make the necessary provision for an adequate allowance to him and to the assistant whom he employed to aid him in his observations.

JAMES MONROE.

JANUARY 17, 1822.

To the Senate of the United States:

I nominate the persons whose names are stated in the inclosed letter from the Secretary of War for the appointments therein respectively proposed for them.

The changes in the Army growing out of the act of the 2d of March, 1821, "to reduce and fix the military peace establishment of the United States," are exhibited in the Official Register for the year 1822, herewith submitted for the information of the Senate.

Under the late organization of the artillery arm, with the exception of the colonel of the regiment of light artillery, there were no grades higher than lieutenant-colonel recognized. Three of the four colonels of artillery provided for by the act of Congress of the 2d of March, 1821, were considered, therefore, as original vacancies, to be filled, as the good of the service might dictate, from the Army corps.

The Pay Department being considered as a part of the military establishment, and, within the meaning of the above-recited act, constituting one of the corps of the Army, the then Paymaster-General was appointed colonel of one of the regiments. A contrary construction, which would have limited the corps specified in the twelfth section of the act to the line of the Army, would equally have excluded all the other branches of the staff, as well that of the Pay Department, which was expressly comprehended among those to be reduced. Such a construction did not seem to be authorized by the act, since by its general terms it was inferred to have been intended to give a power of sufficient extent to make the reduction by which so many were to be disbanded operate with as little inconvenience as possible to the parties. Acting on these views and on the recommendation of the board of general officers, who were called in on account of their knowledge and experience to aid the Executive in so delicate a service, I thought it proper to appoint Colonel Towson to one of the new regiments of artillery, it being a corps in which he had eminently distinguished himself and acquired great knowledge and experience in the late war.

In reconciling conflicting claims provision for four officers of distinction could only be made in grades inferior to those which they formerly held. Their names are submitted, with the nomination for the brevet rank of the grades from which they were severally reduced.

It is proper also to observe that as it was found difficult in executing the act to retain each officer in the corps to which he belonged, the power of transferring officers from one corps to another was reserved in the general orders, published in the Register, till the 1st day of January last, in order that upon vacancies occurring those who had been put out of their proper corps might as far as possible be restored to it. Under this reservation, and in conformity to the power vested in the Executive by the first section of the seventy-fifth article of the general regulations of the Army, approved by Congress at the last session, on the resignation of Lieutenant-Colonel Mitchell, of the corps of artillery, Lieutenant-Colonel Lindsay, who had belonged to this corps before the late reduction, was transferred back to it in the same grade. As an additional motive to the transfer, it had the effect of preventing Lieutenant-Colonel Taylor and Major Woolley being reduced to lower grades than those which they held before the reduction, and Captain Cobb from being disbanded under the act. These circumstances were considered as constituting an extraordinary case within the meaning of the section already referred to of the Regulations of the Army. It is, however, submitted to the Senate whether this is a case requiring their confirmation; and in case that such should be their opinion, it is submitted to them for their constitutional confirmation.

JAMES MONROE.

WASHINGTON, *January 20, 1822.*

To the House of Representatives:

In compliance with a resolution of the House of Representatives "requesting the President of the United States to cause to be laid before this House an account of the expenditures made under the act to provide for the civilization of the Indian tribes, specifying the times when, the persons to whom, and the particular purpose for which such expenditures have been made," I herewith transmit a report from the Secretary of War.

JAMES MONROE.

WASHINGTON, *January 28, 1822.*

To the House of Representatives:

In compliance with the resolution of the 2d instant, I transmit a report of the Secretary of State, with all the documents relating to the misunderstanding between Andrew Jackson, while acting as governor of the Floridas, and Eligius Fromentin, judge of a court therein; and also of the correspondence between the Secretary of State and the minister plenipotentiary of His Catholic Majesty on certain proceedings in that Territory in execution of the powers vested in the governor by the Executive under the law of the last session for carrying into effect the late treaty between the United States and Spain. Being always desirous to communicate to Congress, or to either House, all the information in the possession of the Executive respecting any important interest of our Union which may be communicated without real injury to our constituents, and which can rarely happen except in negotiations pending with foreign powers, and deeming it more consistent with the principles of our Government in cases submitted to my discretion, as in the present instance, to hazard error by the freedom of the communication rather than by withholding any portion of information belonging to the subject, I have thought proper to communicate every document comprised within this call.

JAMES MONROE.

WASHINGTON, *January 30, 1822.*

To the House of Representatives of the United States:

In pursuance of a resolution of the House of Representatives of the 16th instant, requesting information with regard to outrages and abuses committed upon the persons of the officers and crews of American vessels at

The Havannah and other Spanish ports in America, and whether the Spanish authorities have taken any measures to punish, restrain, or countenance such outrages, I herewith transmit to that House a report from the Secretary of State, containing the information called for.

JAMES MONROE.

WASHINGTON, *January 30, 1822.*

To the House of Representatives of the United States:

In pursuance of a resolution of the House of Representatives of the 8th instant, I transmit to the House of Representatives a report of the Secretary of State, containing all the information procured by him in relation to commissions of bankruptcy in certain districts of the United States under the act of 4th of April, 1800, "to establish an uniform system of bankruptcy in the United States."

JAMES MONROE.

WASHINGTON, *February 7, 1822.*

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives requesting the President to "cause that House to be informed whether the commissioners appointed to lay out the continuation of the Cumberland road from Wheeling, in the State of Virginia, through the States of Ohio, Indiana, and Illinois to the Mississippi River, have completed the same, and, if not completed, the reason why their duties have been suspended," I transmit a report from the Secretary of the Treasury, which furnishes the information desired.

JAMES MONROE.

WASHINGTON, *February 10, 1822.*

To the House of Representatives:

In compliance with a resolution of the House of Representatives "requesting the President of the United States to cause to be laid before this House any information which he may have of the condition of the several Indian tribes within the United States and the measures hitherto devised and pursued for their civilization," I now transmit a report from the Secretary of War.

JAMES MONROE.

WASHINGTON, *February 23, 1822.*

To the House of Representatives:

In compliance with a resolution of the House of Representatives "requesting the President of the United States to cause to be reported to this House whether the Indian title has been extinguished by the United

States to any lands the right of soil in which has been or is claimed by any particular State, and, if so, the conditions upon which the same has been extinguished," I herewith transmit a report from the Secretary of War, furnishing all the information in the possession of that Department embraced by the resolution.

JAMES MONROE.

WASHINGTON, *February 23, 1822.*

To the Senate of the United States:

In compliance with a resolution of the Senate of the 14th instant, requesting the President of the United States "to make known to the Senate the annual disposition which has been made of the sum of $15,000 appropriated by an act of Congress of the year 1802 to promote civilization among friendly Indian tribes, showing to what tribes that evidence of the national bounty has been extended, the names of the agents who have been intrusted with the application of the money, the several amounts by them received, and the manner in which they have severally applied it to accomplish the objects of the act," I herewith transmit a report from the Secretary of War, furnishing all the information upon this subject in the possession of that Department.

JAMES MONROE.

WASHINGTON, *February 25, 1822*

To the Senate and House of Representatives of the United States:

Under the appropriation made by the act of Congress of the 11th of April, 1820, for holding treaties with the Creek and Cherokee nations of Indians for the extinguishment of the Indian title to lands within the State of Georgia, pursuant to the fourth condition of the first article of the articles of agreement and cession concluded between the United States and the State of Georgia on the 24th day of April, 1802, a treaty was held with the Creek Nation, the expense of which upon the settlement of the accounts of the commissioners who were appointed to conduct the negotiation was ascertained to amount to the sum of $24,695, leaving an unexpended balance of the sum appropriated of $5,305, a sum too small to negotiate a treaty with the Cherokees, as was contemplated by the act making the appropriation. The legislature of Georgia being still desirous that a treaty should be held for further extinguishment of the Indian title to lands within that State, and to obtain an indemnity to the citizens of that State for property of considerable value, which has been taken from them by the Cherokee Indians, I submit the subject to the consideration of Congress, that a further sum, which, in addition to the balance of the former appropriation, will be adequate to the expenses attending a treaty with them, may be appropriated should Congress deem it expedient.

JAMES MONROE.

WASHINGTON, *March 4, 1822*.

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives of the 22d ultimo, requesting the President of the United States "to cause to be laid before this House a statement showing the amount of woolens purchased for the use of the Army during the years 1820 and 1821, comprising a description of the articles, of whom the purchases were made, at what prices, and what proportion thereof was of American manufacture," I herewith transmit a report from the Secretary of War.

JAMES MONROE.

WASHINGTON, *March 8, 1822*.

To the Senate and House of Representatives of the United States:

In transmitting to the House of Representatives the documents called for by the resolution of that House of the 30th January, I consider it my duty to invite the attention of Congress to a very important subject, and to communicate the sentiments of the Executive on it, that, should Congress entertain similar sentiments, there may be such cooperation between the two departments of the Government as their respective rights and duties may require.

The revolutionary movement in the Spanish Provinces in this hemisphere attracted the attention and excited the sympathy of our fellow-citizens from its commencement. This feeling was natural and honorable to them, from causes which need not be communicated to you. It has been gratifying to all to see the general acquiescence which has been manifested in the policy which the constituted authorities have deemed it proper to pursue in regard to this contest. As soon as the movement assumed such a steady and consistent form as to make the success of the Provinces probable, the rights to which they were entitled by the law of nations as equal parties to a civil war were extended to them. Each party was permitted to enter our ports with its public and private ships, and to take from them every article which was the subject of commerce with other nations. Our citizens, also, have carried on commerce with both parties, and the Government has protected it with each in articles not contraband of war. Through the whole of this contest the United States have remained neutral, and have fulfilled with the utmost impartiality all the obligations incident to that character.

This contest has now reached such a stage and been attended with such decisive success on the part of the Provinces that it merits the most profound consideration whether their right to the rank of independent nations, with all the advantages incident to it in their intercourse with the United States, is not complete. Buenos Ayres assumed that rank by a formal declaration in 1816, and has enjoyed it since 1810 free from invasion by the parent country. The Provinces composing the Republic of Colombia, after having separately declared their independence, were united by a fundamental law of the 17th of December, 1819. A strong Spanish force occupied at that time certain parts of the territory within their limits and waged a destructive war. That force has since been repeatedly defeated, and the whole of it either made prisoners or destroyed or expelled from the country, with the exception of an inconsiderable portion only, which is blockaded in two fortresses. The Provinces on the Pacific have likewise been very successful. Chili declared independence in 1818, and has since enjoyed it undisturbed; and of late, by the assistance of Chili and Buenos Ayres, the revolution has extended to Peru. Of the movement in Mexico our information is less authentic, but it is, nevertheless, distinctly understood that the new Government has declared its independence, and that there is now no opposition to it there nor a force to make any. For the last three years the Government of Spain has not sent a single corps of troops to any part of that country, nor is there any reason to believe it will send any in future. Thus it is manifest that all those Provinces are not only in the full enjoyment of their independence, but, considering the state of the war and other circumstances, that there is not the most remote prospect of their being deprived of it.

When the result of such a contest is manifestly settled, the new governments have a claim to recognition by other powers which ought not to be resisted. Civil wars too often excite feelings which the parties can not control. The opinion entertained by other powers as to the result may assuage those feelings and promote an accommodation between them useful and honorable to both. The delay which has been observed in making a decision on this important subject will, it is presumed, have afforded an unequivocal proof to Spain, as it must have done to other powers, of the high respect entertained by the United States for her rights and of their determination not to interfere with them. The Provinces belonging to this hemisphere are our neighbors, and have successively, as each portion of the country acquired its independence, pressed their recognition by an appeal to facts not to be contested, and which they thought gave them a just title to it. To motives of interest this Government has invariably disclaimed all pretension, being resolved to take no part in the controversy or other measure in regard to it which should not merit the sanction of the civilized world. To other claims a just sensibility has been always felt and frankly acknowledged, but they in themselves could never become an adequate cause of action. It was incumbent on this Government to look to every important fact and circumstance on which a sound opinion could be formed, which has been done. When we regard, then, the great length of time which this war has been prosecuted, the complete success which has attended it in favor of the Provinces, the present condition of the parties, and the utter inability of Spain to produce any change in it, we are compelled to conclude that its fate is settled, and that the Provinces which have declared their independence and are in the enjoyment of it ought to be recognized.

Of the views of the Spanish Government on this subject no particular information has been recently received. It may be presumed that the successful progress of the revolution through such a long series of years, gaining strength and extending annually in every direction, and embracing by the late important events, with little exception, all the dominions of Spain south of the United States on this continent, placing thereby the complete sovereignty over the whole in the hands of the people, will reconcile the parent country to an accommodation with them on the basis of their unqualified independence. Nor has any authentic information been recently received of the disposition of other powers respecting it. A sincere desire has been cherished to act in concert with them in the proposed recognition, of which several were some time past duly apprised; but it was understood that they were not prepared for it. The immense space between those powers, even those which border on the Atlantic, and these Provinces makes the movement an affair of less interest and excitement to them than to us. It is probable, therefore, that they have been less attentive to its progress than we have been. It may be presumed, however, that the late events will dispel all doubt of the result.

In proposing this measure it is not contemplated to change thereby in the slightest manner our friendly relations with either of the parties, but to observe in all respects, as heretofore, should the war be continued, the most perfect neutrality between them. Of this friendly disposition an assurance will be given to the Government of Spain, to whom it is presumed it will be, as it ought to be, satisfactory. The measure is proposed under a thorough conviction that it is in strict accord with the law of nations, that it is just and right as to the parties, and that the United States owe it to their station and character in the world, as well as to their essential interests, to adopt it. Should Congress concur in the view herein presented, they will doubtless see the propriety of making the necessary appropriations for carrying it into effect.

JAMES MONROE.

WASHINGTON, *March 9, 1822.*

To the House of Representatives:

I transmit a report from the Secretary of War, together with the annual return of the militia of the United States, and an exhibit of the arms, accouterments, and ammunition of the several States and Territories of the United States, prepared in conformity with the militia laws on that subject.

JAMES MONROE.

WASHINGTON, *March 12, 1822.*

To the Senate and House of Representatives of the United States:

I lay before the Senate the copy of a supplementary report, made by William Lambert, in relation to the longitude of the Capitol from Greenwich, in pursuance of a joint resolution of the two Houses of Congress of the 3d of March, 1821, and I subjoin an extract from the letter of Mr. Lambert submitting that report.

JAMES MONROE.

WASHINGTON, *March 26, 1822.*

To the Senate and House of Representatives of the United States:

Congress having suspended the appropriation, at the last session, for the fortification at Dauphine Island, in consequence of a doubt which was entertained of the propriety of that position, the further prosecution of the work was suspended, and an order given, as intimated in the message of the 3d of December, to the Board of Engineers and Naval Commissioners to examine that part of the coast, and particularly that position, as also the position at Mobile Point, with which it is connected, and to report their opinion thereon, which has been done, and which report is herewith communicated.

By this report it appears to be still the opinion of the Board that the construction of works at both these positions is of great importance to the defense of New Orleans and of all that portion of our Union which is connected with and dependent on the Mississippi and on the other waters which empty into the Gulf of Mexico between that river and Cape Florida. That the subject may be fully before Congress, I transmit also a copy of the former report of the Board, being that on which the work was undertaken and has been in part executed. Approving as I do the opinion of the Board, I consider it my duty to state the reasons on which I adopted the first report, especially as they were in part suggested by the occurrences of the late war.

The policy which induced Congress to decide on and provide for the defense of the coast immediately after the war was founded on the marked events of that interesting epoch. The vast body of men which it was found necessary to call into the field through the whole extent of our maritime frontier, and the number who perished by exposure, with the immense expenditure of money and waste of property which followed, were to be traced in an eminent degree to the defenseless condition of the coast. It was to mitigate these evils in future wars, and even for the higher purpose of preventing war itself, that the decision was formed to make the coast, so far as it might be practicable, impregnable, and that the measures necessary to that great object have been pursued with so much zeal since.

It is known that no part of our Union is more exposed to invasion by the numerous avenues leading to it, or more defenseless by the thinness of the neighboring population, or offers a greater temptation to invasion, either as a permanent acquisition or as a prize to the cupidity of grasping invaders from the immense amount of produce deposited there, than the city of New Orleans. It is known also that the seizure of no part of our Union could affect so deeply and vitally the immediate interests of so many States and of so many of our fellow-citizens, comprising all that extensive territory and numerous population which are connected with and dependent on the Mississippi, as the seizure of that city. Strong works, well posted, were therefore deemed absolutely necessary for its protection.

It is not, however, by the Mississippi only, or the waters which communicate directly with or approach nearest to New Orleans, that the town is assailable. It will be recollected that in the late war the public solicitude was excited not so much by the danger which menaced it in those directions as by the apprehension that, while a feint might be made there, the main force, landing either in the bay of Mobile or other waters between that bay and the Rigolets, would be thrown above the town in the rear of the army which had been collected there for its defense. Full confidence was entertained that that gallant army, led by the gallant and able chief who commanded it, would repel any attack to which it might be exposed in front. But had such a force been thrown above the town, and a position taken on the banks of the river, the disadvantage to which our troops would have been subjected, attacked in front and rear as they might have been, may easily be conceived. As their supplies would have been cut off, they could not long have remained in the city, and, withdrawing from it, it must have fallen immediately into the hands of the force below. In ascending the river to attack the force above, the attack must have been made to great disadvantage, since it must have been on such ground and at such time as the enemy preferred. These considerations shew that defenses other than such as are immediately connected with the city are of great importance to its safety.

An attempt to seize New Orleans and the lower part of the Mississippi will be made only by a great power or a combination of several powers, with a strong naval and land force, the latter of which must be brought in transports which may sail in shallow water. If the defenses around New Orleans are well posted and of sufficient strength to repel any attack which may be made on them, the city can be assailed only by a land force, which must pass in the direction above suggested, between the Rigolets and the bay of Mobile. It becomes, therefore, an object of high importance to present such an obstacle to such an attempt as would defeat it should it be made. Fortifications are useful for the defense of posts, to prevent the approach to cities and the passage of rivers; but as works their effect can not be felt beyond the reach of their cannon. They are formidable in other respects by the body of men within them, which may be removed and applied to other purposes.

Between the Rigolets and the Bay of Mobile there is a chain of islands, at the extremity of which is Dauphine Island, which forms, with Mobile Point, from which it is distant about 3¼ miles, the entrance into the bay of Mobile, which leads through that part of the State of Alabama to the towns of Mobile and Blakeley. The distance between Dauphine Island and the Rigolets is 90 miles. The principal islands between them are Massacre, Horn, Ship, and Cat islands, near to which there is anchorage for large ships of war. The first object is to prevent the landing of any force for the purposes above stated between the Rigolets and the bay of Mobile; the second, to defeat that force in case it should be landed. When the distance from one point to the other is considered, it is believed that it would be impossible to establish works so near to each other as to prevent the landing of such a force. Its defeat, therefore, should be effectually provided for. If the arrangement should be such as to make that result evident, it ought to be fairly concluded that the attempt would not be made, and thus we should accomplish in the best mode possible and with the least expense the complete security of this important part of our Union, the great object of our system of defense for the whole.

There are some other views of this subject which it is thought will merit particular attention in deciding the point in question. Not being able to establish a chain of posts, at least for the present, along the whole coast from the Rigolets to Dauphine Island, or on all the islands between them, at which point shall we begin? Should an attack on the city be anticipated, it can not be doubted that an adequate force would immediately be ordered there for its defense. If the enemy should despair of making an impression on the works near the town, it may be presumed that they would promptly decide to make the attempt in the manner and in the line above suggested between the Rigolets and the bay of Mobile. It will be obvious that the nearer the fortification is erected to the Rigolets with a view to this object, should it be on Cat or Ship Island, for example, the wider would the passage be left open between that work and the bay of Mobile for such an enterprise. The main army, being drawn to New Orleans, would be ready to meet such an attempt near the Rigolets or at any other point not distant from the city. It is probable, therefore, that the enemy, profiting of a fair wind, would make his attempt at the greatest distance compatible with his object from that point, and at the bay of Mobile should there not be works there of sufficient strength to prevent it. Should, however, strong works be erected there, such as were sufficient not only for their own defense against any attack which might be made on them, but to hold a force connected with that which might be drawn from the neighboring country, capable of cooperating with the force at the city, and which would doubtless be ordered to those works in the event of war, it would be dangerous for the invading force to land anywhere between the Rigolets and the bay of Mobile and to pass toward the Mississippi above the city, lest such a body might be thrown in its rear as to cut off its retreat. These considerations show the great advantage of establishing at the mouth of the bay of Mobile very strong works, such as would be adequate to all the purposes suggested.

If fortifications were necessary only to protect our country and cities against the entry of large ships of war into our bays and rivers, they would be of little use for the defense of New Orleans, since that city can not be approached so near, either by the Mississippi or in any other direction, by such vessels for them to make an attack on it. In the Gulf, within our limits west of Florida, which had been acquired since these works were decided on and commenced, there is no bay or river into which large ships of war can enter. As a defense, therefore, against an attack from such vessels extensive works would be altogether unnecessary either at Mobile Point or at Dauphine Island, since sloops of war only can navigate the deepest channel. But it is not for that purpose alone that these works are intended. It is to provide also against a formidable invasion, both by land and sea, the object of which may be to shake the foundation of our system. Should such small works be erected, and such an invasion take place, they would be sure to fall at once into the hands of the invaders and to be turned against us.

Whether the acquisition of Florida may be considered as affording an inducement to make any change in the position or strength of these works is a circumstance which also merits attention. From the view which I have taken of the subject I am of opinion that it should not. The defense of New Orleans and of the river Mississippi against a powerful invasion being one of the great objects of such extensive works, that object would be essentially abandoned if they should be established eastward of the bay of Mobile, since the force to be collected in them would be placed at too great a distance to allow the cooperation necessary for those purposes between it and that at the city; in addition to which, it may be observed that by carrying them to Pensacola or farther to the east that bay would fall immediately, in case of such invasion, into the hands of the enemy, whereby such cooperation would be rendered utterly impossible, and the State of Alabama would also be left wholly unprotected.

With a view to such formidable invasion, of which we should never lose sight, and of the great objects to which it would be directed, I think that very strong works at some point within the Gulf of Mexico will be found indispensable. I think also that those works ought to be established at the bay of Mobile—one at Mobile Point and the other on Dauphine Island—whereby the enemy would be excluded and the complete command of that bay, with all the advantages attending it, be secured to ourselves. In the case of such invasion, it will, it is presumed, be deemed necessary to collect at some point other than at New Orleans a strong force, capable of moving in any direction and affording aid to any part which may be attacked; and, in my judgment, no position presents so many advantages as a point of rendezvous for such force as the mouth of that bay. The fortification at the Rigolets will defend the entrance by one passage into Lake Pontchartrain, and also into Pearl River, which empties into the Gulf at that point. Between the Rigolets and Mobile Bay there are but two inlets which deserve the name, those of St. Louis and Pascagola, the entrance into which is too shallow even for the smallest vessels; and from the Rigolets to Mobile Bay the whole coast is equally shallow, affording the depth of a few feet of water only. Cat Island, which is nearest the Rigolets, is about 7½ miles distant from the coast and 30 from the Rigolets. Ship Island is distant about 10 miles from Cat Island and 12 from the coast. Between these islands and the coast the water is very shallow.

As to the precise depth of water in approaching those islands from the Gulf, the report of the topographical engineers not having yet been received, it is impossible to speak with precision; but admitting it to be such as for frigates and even ships of the line to enter, the anchorage at both is unsafe, being much exposed to northwest winds. Along the coast, therefore, there is no motive for such strong works on our part—no town to guard, no inlet into the country to defend—and if placed on the islands and the entrance to them is such as to admit large ships of war, distant as they are from the coast, it would be more easy for the enemy to assail them with effect.

The position, however, at Mobile Bay is essentially different. That bay takes its name from the Mobile River, which is formed by the junction of the Alabama and Tombigbee, which extend each about 300 miles into the interior, approaching at their head waters near the Tennessee River. If the enemy possessed its mouth, and fortified Mobile Point and Dauphine Island, being superior at sea it would be very difficult for us to dispossess him of either, even of Mobile Point; and holding that position, Pensacola would soon fall, as without incurring great expense in the construction of works there it would present but a feeble resistance to a strong force in its rear. If we had a work at Mobile Point only, the enemy might take Dauphine Island, which would afford him great aid in attacking the point, and enable him, even should we succeed in repelling the attack, to render us great mischief there and throughout the whole Gulf. In every view which can be taken of the subject it appears indispensable for us to command the entrance into Mobile Bay, and that decision being taken, I think the considerations which favor the occupation of Dauphine Island by a strong work are conclusive. It is proper to observe that after the repulse before New Orleans in the late war the British forces took possession of Dauphine Island and held it till the peace. Under neither of the reports of the Board of Engineers and Naval Commissioners could any but sloops of war enter the bay or the anchorage between Dauphine and Pelican islands. Both reports give to that anchorage 18 feet at low water and 20½ at high. The only difference between them consists in this, that in the first a bar leading to the anchorage, reducing the depth of water to 12 feet at low tide, was omitted. In neither case could frigates enter, though sloops of war of larger size might. The whole scope, however, of this reasoning turns on a different principle—on the works necessary to defend that bay and, by means thereof, New Orleans, the Mississippi, and all the surrounding country against a powerful invasion both by land and sea, and not on the precise depth of water in any of the approaches to the bay or to the island.

The reasoning which is applicable to the works near New Orleans and at the bay of Mobile is equally so in certain respects to those which are to be erected for the defense of all the bays and rivers along the other parts of the coast. All those works are also erected on a greater scale than would be necessary for the sole purpose of preventing the passage of our inlets by large ships of war. They are in most instances formed for defense against a more powerful invasion, both by land and sea. There are, however, some differences between the works which are deemed necessary in the Gulf and those in other parts of our Union, founded on the peculiar situation of that part of the coast. The vast extent of the Mississippi, the great outlet and channel of commerce for so many States, all of which may be affected by the seizure of that city, or of any part of the river to a great extent above it, is one of those striking peculiarities which require particular provision. The thinness of the population near the city, making it necessary that the force requisite for its defense should be called from distant parts and States, is another. The danger which the army assembled at New Orleans would be exposed to of being cut off in case the enemy should throw a force on the river above it, from the difficulty of ascending the river to attack it and of making a retreat in any other direction, is a third. For an attack on the city of New Orleans, Mobile Bay, or any part of the intermediate coast ships of war would be necessary only as a convoy to protect the transports against a naval force on their passage, and on their approach to the shore for the landing of the men, and on their return home in case they should be repulsed.

On the important subject of our defenses generally I think proper to observe that the system was adopted immediately after the late war by Congress, on great consideration and a thorough knowledge of the effects of that war—by the enormous expense attending it, by the waste of life, of property, and by the general distress of the country. The amount of debt incurred in that war and due at its conclusion, without taking into the estimate other losses, having been heretofore communicated, need not now be repeated. The interest of the debt thus incurred is four times more than the sum necessary, by annual appropriations, for the completion of our whole system of defense, land and naval, to the extent provided for and within the time specified. When that system shall be completed the expense of construction will cease, and our expenditures be proportionally diminished. Should another war occur before it is completed, the experience of the last marks in characters too strong to be mistaken its inevitable consequences; and should such war occur and find us unprepared for it, what will be our justification to the enlightened body whom we represent for not having completed these defenses? That this system should not have been adopted before the late war can not be a cause of surprise to anyone, because all might wish to avoid every expense the necessity of which might be in any degree doubtful. But with the experience of that war before us it is thought there is no cause for hesitation. Will the completion of these works and the augmentation of our Navy to the point contemplated by law require the imposition of onerous burthens on our fellow-citizens such as they can not or will not bear? Have such, or any, burthens been imposed to advance the system to its present state? It is known that no burthens whatever have been imposed; on the contrary that all the direct or internal taxes have been long repealed, and none paid but those which are indirect and voluntary, such as are imposed on articles imported from foreign countries, most of which are luxuries, and on the vessels employed in the transportation — taxes which some of our most enlightened citizens think ought to be imposed on many of the articles for the encouragement of our manufactures, even if the revenue derived from them could be dispensed with. It is known also that in all other respects our condition as a nation is in the highest degree prosperous and flourishing, nearly half the debt incurred in the late war having already been discharged, and considerable progress having also been made in the completion of this system of defense and in the construction of other works of great extent and utility, by the revenue derived from these sources and from the sale of the public lands. I may add also that a very generous provision has been made from the same sources for the surviving officers and soldiers of our Revolutionary army. These important facts show that this system has been so far executed, and may be completed without any real inconvenience to the public. Were it, however, otherwise, I have full confidence that any burthens which might be found necessary for the completion of this system in both its branches within the term contemplated, or much sooner should any emergency require it, would be called for rather than complained of by our fellow-citizens.

From these views, applicable to the very important subject of our defenses generally as well as to the work at Dauphine Island, I think it my duty to recommend to Congress an appropriation for the latter. I considered the withholding it at the last session as the expression only of a doubt by Congress of the propriety of the position, and not as a definitive opinion. Supposing that that question would be decided at the present session, I caused the position and such parts of the coast as are particularly connected with it to be reexamined, that all the light on which the decision as to the appropriation could depend might be fully before you. In the first survey, the report of which was that on which the works intended for the defense of New Orleans, the Mississippi, the bay of Mobile, and all the country dependent on those waters were sanctioned by the Executive, the commissioners were industriously engaged about six months. I should have communicated that very able and interesting document then but from a doubt how far the interest of our country would justify its publication, a circumstance which I now mention that the attention of Congress may be drawn to it.

JAMES MONROE.

MARCH 26, 1822.

To the Senate of the United States:

Having executed the act entitled "An act to reduce and fix the military peace establishment of the United States" on great consideration and according to my best judgment, and inferring from the rejection of the nomination of Colonel Towson and Colonel Gadsden, officers of very distinguished merit, that the view which I took of that law has not been well understood, I hereby withdraw all the nominations on which the Senate has not decided until I can make a more full communication and explanation of that view and of the principles on which I have acted in the discharge of that very delicate and important duty.

JAMES MONROE.

WASHINGTON, *March 27, 1822.*

To the House of Representatives:

In compliance with a resolution of the House of Representatives of the 1st instant, requesting "the President to communicate such information as he may possess relative to any private claim against the piece of land in the Delaware River known by the name of the Peapatch, and to state if any, and what, process has been instituted in behalf of such claim," I herewith transmit a report from the Secretary of War, furnishing the information required.

JAMES MONROE.

WASHINGTON, *March 28, 1822.*

To the House of Representatives:

I transmit the original reports on the subject of the fortifications on Dauphin Island and Mobile Point, being those on which the works were undertaken and have been in part executed. The doubt expressed as to the propriety of publication is applicable to this document, which would have accompanied the message of the 26th had it been prepared in time.

JAMES MONROE.

WASHINGTON, *March 29, 1822.*

To the Senate and House of Representatives of the United States:

I transmit to Congress the translation of two letters from the minister of France to the Secretary of State, relating to the claim of the heirs of Caron de Beaumarchais upon this Government, with the documents therewith inclosed, recommending them to the favorable consideration of Congress.

JAMES MONROE.

WASHINGTON, *April 5, 1822.*

To the House of Representatives of the United States:

I communicate herewith to the House a report from the Secretary of War, containing the information requested by their resolution of the 5th ultimo.

It may be proper further to add that the secretaries of both the Territories have occasionally required and received the aid of the military force of the United States stationed within them, respectively, to carry into effect the acts of their authority.

The government of East and West Florida was under the Spanish dominion almost exclusively military. The governors of both were military officers and united in their persons the chief authority, both civil and military.

The principle upon which the act of Congress of the last session providing for the temporary government of the newly ceded Provinces was carried into execution has been communicated to Congress in my message at the opening of the session. It was to leave the authorities of the country as they were found existing at the time of the cession, to be exercised until the meeting of Congress, when it was known that the introduction of a system more congenial to our own institutions would be one of the earliest and most important subjects of their deliberations. From this, among other obvious considerations, military officers were appointed to take possession of both Provinces. But as the military command of General Jackson was to cease on the 1st of June, General Gaines, the officer next in command, then here, who was first designated to take possession of East Florida, received from me a verbal direction to give such effect to any requisition from the governor for military aid to enforce his authority as the circumstances might require. It was not foreseen that the command in both the Provinces would before further legislation by Congress on that subject devolve upon the secretaries of the Territories, but had it been foreseen the same direction would have been given as applicable to them.

No authority has been given to either of the secretaries to issue commands to that portion of the Army which is in Florida, and whenever the aid of *the military* has been required by them it has been by written requisitions to the officers commanding the troops, who have yielded compliance thereto doubtless under the directions received from General Gaines as understood by him to be authorized.

Shortly before the meeting of Congress a letter was received at the War Department from Colonel Brooke, the officer commanding at Pensacola, requesting instructions how far he was to consider these requisitions as authoritative, but the assurance that a new organization of the government was immediately to be authorized by Congress was a motive for superseding any specific decision upon the inquiry.

JAMES MONROE.

WASHINGTON, *April 6, 1822.*

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives requesting the President of the United States to cause to be furnished to that House certain information relating to the amount of the public money paid to the Attorney-General over and above his salary fixed by law since the 1st of January, 1817, specifying the time when paid and the fund out of which such payments have been made, I transmit a paper, marked A, containing the information desired. I transmit also a paper, marked B, containing a statement of sums paid to Attorneys-General of the United States prior to the 1st of January, 1817, and in the paper marked C a like statement of sums advanced to district attorneys for services not required of them by law. These latter documents being necessary to a full view of the subject, it is thought proper to comprise them in this communication.

By the act of 24th September, 1789, instituting the office of Attorney-General, it was made his duty to prosecute and conduct all suits in the Supreme Court in which the United States should be concerned, and to give his advice and opinion upon questions of law when required by the President of the United States, or when requested by the head of any of the Departments, touching any matters that might concern their Departments. It will be seen, therefore, by the statement communicated that no money whatever has been paid to the Attorney-General for his services in that character, nor for any duty belonging to his office, beyond his salary as fixed by law.

It will also be shewn by the documents communicated that the construction given of the laws imposing duties on the Attorney-General and district attorneys have been invariably the same since the institution of the Government. On the same authority it was thought that the compensation allowed to the present Attorney-General for certain services, considering their importance and the time employed in rendering them, did not exceed, regarding precedents, what might fairly be claimed.

JAMES MONROE.

APRIL 13, 1822.

To the Senate of the United States:

Having cause to infer that the reasons which led to the construction which I gave to the act of the last session entitled "An act to reduce and fix the peace establishment of the United States" have not been well understood, I consider it my duty to explain more fully the view which I took of that act and of the principles on which I executed the very difficult and important duty enjoined on me by it.

To do justice to the subject it is thought proper to show the actual state of the Army before the passage of the late act, the force in service, the several corps of which it was composed, and the grades and number of officers commanding it. By seeing distinctly the body in all its parts on which the law operated, viewing also with a just discrimination the spirit, policy, and positive injunctions of that law with reference to precedents established in a former analogous case, we shall be enabled to ascertain with great precision whether these injunctions have or have not been strictly complied with.

By the act of the 3d of March, 1815, entitled "An act fixing the military peace establishment of the United States," the whole force in service was reduced to 10,000 men—infantry, artillery, and riflemen—exclusive of the Corps of Engineers, which was retained in its then state. The regiment of light artillery was retained as it had been organized by the act of 3d March, 1814. The infantry was formed into 9 regiments, 1 of which consisted of riflemen. The regiments of light artillery, infantry, riflemen, and Corps of Engineers were commanded each by a colonel, lieutenant-colonel, and the usual battalion and company officers; and the battalions of the corps of artillery, of which there were 8—4 for the Northern and 4 for the Southern division—were commanded by lieutenant-colonels or majors, there being 4 of each grade. There were, therefore, in the Army at the time the late law was passed 12 colonels belonging to those branches of the military establishment. Two major-generals and 4 brigadiers were likewise retained in service by this act; but the staff in several of its branches not being provided for, and being indispensable and the omission inadvertent, proceeding from the circumstances under which the act was passed, being at the close of the session, at which time intelligence of the peace was received, it was provisionally retained by the President, and provided for afterwards by the act of the 24th April, 1816. By this act the Ordnance Department was preserved as it had been organized by the act of February 8, 1815, with 1 colonel, 1 lieutenant-colonel, 2 majors, 10 captains, and 10 first, second, and third lieutenants. One Adjutant and Inspector General of the Army and 2 adjutants-general—1 for the Northern and 1 for the Southern division—were retained. This act provides also for a Paymaster-General, with a suitable number of regimental and battalion paymasters, as a part of the general staff, constituting the military peace establishment; and the Pay Department and every other branch of the staff were subjected to the Rules and Articles of War.

By the act of March 2, 1821, it was ordained that the military peace establishment should consist of 4 regiments of artillery and 7 of infantry, with such officers of engineers, ordnance, and staff as were therein specified. It is provided that each regiment of artillery should consist of 1 colonel, 1 lieutenant-colonel, 1 major, and 9 companies, with the usual company officers, 1 of which to be equipped as light artillery, and that there should be attached to each regiment of artillery 1 supernumerary captain to perform ordnance duty, thereby merging the regiment of artillery and Ordnance Department into these 4 regiments. It was provided also that each regiment of infantry should consist of 1 colonel, 1 lieutenant-colonel, 1 major, and 10 companies, with the usual company officers. The Corps of Engineers, bombardiers excepted, with the topographical engineers and their assistants, were to be retained under the existing organization. The former establishment as to the number of major-generals and brigadiers was curtailed one-half, and the office of Inspector and Adjutant General to the Army and of adjutant-general to each division annulled, and that of Adjutant-General to the Army instituted. The Quartermaster, Paymaster, and Commissary Departments were also specially provided for, as was every other branch of the staff, all of which received a new modification, and were subjected to the Rules and Articles of War.

The immediate and direct operation of this act on the military peace establishment of 1815 was that of reduction, from which no officer belonging to it was exempt, unless it might be the topographical engineers; for in retaining the Corps of Engineers, as was manifest as well by the clear import of the section relating to it as by the provisions of every other clause of the act, reference was had to the organization, and not to the officers of the Corps. The establishment of 1815 was reduced from 10,000 to about 6,000 men. The 8 battalions of artillery, constituting what was called the corps of artillery, and the regiment of light artillery as established by the act of 1815, were to be incorporated together and formed into 4 new regiments. The regiments of infantry were to be reduced from 9 to 7, the rifle regiment being broken. Three of the general officers were to be reduced, with very many of the officers belonging to the several corps of the Army, and particularly of the infantry. All the provisions of the act declare of what number of officers and men the several corps provided for by it should thenceforward consist, and not that any corps as then existing or any officer of any corps, unless the topographical engineers were excepted, should be retained. Had it been intended to reduce the officers by corps, or to exempt the officers of any corps from the operation of the law, or in the organization of the several new corps to confine the selection of the officers to be placed in them to the several corps of the like kind then existing, and not extend it to the whole military establishment, including the staff, or to confine the reduction to a proportional number of each corps and of each grade in each corps, the object in either instance might have been easily accomplished by a declaration to that effect. No such declaration was made, nor can such intention be inferred. We see, on the contrary, that every corps of the Army and staff was to be reorganized, and most of them reduced in officers and men, and that in arranging the officers from the old to the new corps full power was granted to the President to take them from any and every corps of the former establishment and place them in the latter. In this latter grant of power it is proper to observe that the most comprehensive terms that could be adopted were used, the authority being to cause the arrangement to be made from the officers of the several *corps* then in the service of the United States, comprising, of course, every corps of the staff, as well as of artillery and infantry, and not from the *corps of troops*, as in the former act, and without any limitation as to grades.

It merits particular attention that although the object of this latter act was reduction and such its effect on an extensive scale, 5 new offices were created by it—4 of the grade of colonel for the 4 regiments of artillery and that of Adjutant-General for the Army. Three of the first mentioned were altogether new, the corps having been newly created, and although 1 officer of that grade as applicable to the corps of light artillery had existed, yet as that regiment was reduced and all its parts reorganized in another form and with other duties, being incorporated into the 4 new regiments, the commander was manifestly displaced and incapable of taking the command of either of the new regiments or any station in them until he should be authorized to do so by a new appointment. The same remarks are applicable to the office of Adjutant-General to the Army. It is an office of new creation, differing from that of Adjutant and Inspector General, and likewise from that of adjutant-general to a division, which were severally annulled. It differs from the first in title, rank, and pay, and from the two latter because they had been created by law each for a division, whereas the new office, being instituted without such special designation, could have relation only to the whole Army. It was manifest, therefore, that neither of those officers had any right to this new station nor to any other station unless he should be specially appointed to it, the principle of reduction being applicable to every officer in every corps. It is proper also to observe that the duties of Adjutant-General under the existing arrangement correspond in almost every circumstance with those of the late Adjutant and Inspector General, and not with those of an adjutant-general of a division.

To give effect to this law the President was authorized by the twelfth section to cause the officers, noncommissioned officers, artificers, musicians, and privates of the several corps then in the service of the United States to be arranged in such manner as to form and complete out of the same the force thereby provided for, and to cause the supernumerary officers, noncommissioned officers, artificers, musicians, and privates to be discharged from the service.

In executing this very delicate and important trust I acted with the utmost precaution. Sensible of what I owed to my country, I felt strongly the obligation of observing the utmost impartiality in selecting those officers who were to be retained. In executing this law I had no personal object to accomplish or feeling to gratify—no one to retain, no one to remove. Having on great consideration fixed the principles on which the reduction should be made, I availed myself of the example of my predecessor by appointing through the proper department a board of general officers to make the selection, and whose report I adopted.

In transferring the officers from the old to the new corps the utmost care was taken to place them in the latter in the grades and corps to which they had respectively belonged in the former, so far as it might be practicable. This, though not enjoined by the law, appearing to be just and proper, was never departed from except in peculiar cases and under imperious circumstances.

In filling the original vacancies in the artillery and in the newly created office of Adjutant-General I considered myself at liberty to place in them any officer belonging to any part of the whole military establishment, whether of the staff or line. In filling original vacancies—that is, offices newly created—it is my opinion, as a general principle, that Congress have no right under the Constitution to impose any restraint by law on the power granted to the President so as to prevent his making a free selection of proper persons for these offices from the whole body of his fellow-citizens. Without, however, entering here into that question, I have no hesitation in declaring it as my opinion that the law fully authorized a selection from any branch of the whole military establishment of 1815. Justified, therefore, as I thought myself in taking that range by the very highest sanction, the sole object to which I had to direct my attention was the merit of the officers to be selected for these stations. Three generals of great merit were either to be dismissed or otherwise provided for. The very gallant and patriotic defender of New Orleans had intimated his intention to retire, but at my suggestion expressed his willingness to accept the office of commissioner to receive the cession of the Floridas and of governor for a short time of that Territory. As to one, therefore, there was no difficulty. For the other two provision could only be made in the mode which was adopted. General Macomb, who had signalized himself in the defense of Plattsburg, was placed at the head of the Corps of Engineers, to which he had originally belonged, and in which he had acquired great experience, Colonel Armistead, then at the head of that corps, having voluntarily accepted one of the new regiments of artillery, for which he possessed very suitable qualifications. General Atkinson, likewise an officer of great merit, was appointed to the newly created office of Adjutant-General. Brevet General Porter, an officer of great experience in the artillery, and merit, was appointed to the command of another of those regiments. Colonel Fenwick, then the oldest lieutenant-colonel of artillery, and who had suffered much in the late war by severe wounds, was appointed to a third, and Colonel Towson, who had served with great distinction in the same corps and been twice brevetted for his gallantry in the late war, was appointed to the last remaining one. General Atkinson having declined the office of Adjutant-General, Colonel Gadsden, an officer of distinguished merit and believed to possess qualifications suitably adapted to it, was appointed in his stead. In making the arrangement the merits of Colonel Butler and Colonel Jones were not overlooked. The former was assigned to the place which he would have held in the line if he had retained his original lineal commission, and the latter to his commission in the line, which he had continued to hold with his staff appointment.

That the reduction of the Army and the arrangement of the officers from the old to the new establishment and the appointments referred to were in every instance strictly conformable to law will, I think, be apparent. To the arrangement generally no objection has been heard; it has been made, however, to the appointments to the original vacancies, and particularly to those of Colonel Towson and Colonel Gadsden. To those appointments, therefore, further attention is due. If they were improper it must be either that they were illegal or that the officers did not merit the offices conferred on them. The acknowledged merit of the officers and the peculiar fitness for the offices to which they were respectively appointed must preclude all objection on that head. Having already suggested my impression that in filling offices newly created, to which on no principle whatever anyone could have a claim of right, Congress could not under the Constitution restrain the free selection of the President from the whole body of his fellow-citizens, I shall only further remark that if that impression is well founded all objection to these appointments must cease. If the law imposed such restraint, it would in that case be void. But, according to my judgment, the law imposed none. An objection to the legality of those appointments must be founded either on the principle that those officers were not comprised within the corps then in the service of the United States — that is, did not belong to the peace establishment — or that the power granted by the word "arrange" imposed on the President the necessity of placing in these new offices persons of the same grade only from the old. It is believed that neither objection is well founded. Colonel Towson belonged to one of the corps then in the service of the United States, or, in other words, of the military peace establishment. By the act of 1815–16 the Pay Department, of which the Paymaster-General was the chief, was made one of the branches of the staff, and he and all those under him were subjected to the Rules and Articles of War. The appointment, therefore, of him, and especially to a new office, was strictly conformable to law.

The only difference between the fifth section of the act of 1815 for reducing the Army and the twelfth section of the act of 1821 for still further reducing it, by which the power to carry those laws into effect was granted to the President in each instance, consists in this, that by the former he was to cause the arrangement to be made of the officers, noncommissioned officers, musicians, and privates of the several *corps of troops* then in the service of the United States, whereas in the latter the term *troops* was omitted. It can not be doubted that that omission had an object, and that it was thereby intended to guard against misconstruction in so very material and important a circumstance by authorizing the application of the act unequivocally to every corps of the staff as well as of the line. With that word a much wider range was given to the act of 1815 on the reduction which then took place than under the last act. The omission of it from the last act, together with all the sanctions which were given by Congress to the construction of the law in the reduction made under the former, could not fail to dispel all doubt as to the extent of the power granted by the last law and of the principles which ought to guide, and on which it was thereby made the duty of the President to execute it. With respect to the other objection—that is, that officers of the same grade only ought to have been transferred to these new offices—it is equally unfounded. It is admitted that officers may be taken from the old corps and reduced and arranged in the new in inferior grades, as was done under the former reduction. This admission puts an end to the objection in this case; for if an officer may be reduced and arranged from one corps to another by an entire change of grade, requiring a new commission and a new nomination to the Senate, I see no reason why an officer may not be advanced in like manner. In both instances the grade in the old corps is alike disregarded. The transfer from it to the new turns on the merit of the party, and it is believed that the claim in this instance is felt by all with peculiar sensibility. The claim of Colonel Towson is the stronger because the arrangement of him to the office to which he is now nominated is not to one from which any officer has been removed, and to which any other officer may in any view of the case be supposed to have had a claim. As Colonel Gadsden held the office of Inspector-General, and as such was acknowledged by all to belong to the staff of the Army, it is not perceived on what ground his appointment can be objected to.

If such a construction is to be given to the act of 1821 as to confine the transfer of officers from the old to the new establishment to the *corps of troops*—that is, to the line of the Army—the whole staff of the Army in every branch would not only be excluded from any appointment in the new establishment, but altogether disbanded from the service. It would follow also that all the offices of the staff under the new arrangement must be filled by officers belonging to the new establishment after its organization and their arrangement in it. Other consequences not less serious would follow. If the right of the President to fill these original vacancies by the selection of officers from any branch of the whole military establishment was denied, he would be compelled to place in them officers of the same grade whose corps had been reduced, and they with them. The effect, therefore, of the law as to those appointments would be to legislate into office men who had been already legislated out of office, taking from the President all agency in their appointment. Such a construction would not only be subversive of the obvious principles of the Constitution, but utterly inconsistent with the spirit of the law itself, since it would provide offices for a particular grade, and fix every member of that grade in those offices, at a time when every other grade was reduced, and among them generals and other officers of the highest merit. It would also defeat every object of selection, since colonels of infantry would be placed at the head of regiments of artillery, a service in which they might have had no experience, and for which they might in consequence be unqualified.

Having omitted in the message to Congress at the commencement of the session to state the principles on which this law had been executed, and having imperfectly explained them in the message to the Senate of the 17th of January last, I deem it particularly incumbent on me, as well from a motive of respect to the Senate as to place my conduct in the duty imposed on me by that act in a clear point of view, to make this communication at this time. The examples under the law of 1815, whereby officers were reduced and arranged from the old corps to the new in inferior grades, fully justify all that has been done under the law of 1821. If the power to arrange under the former law authorized the removal of one officer from a particular station and the location of another in it, reducing the latter from a higher to an inferior grade, with the advice and consent of the Senate, it surely justifies under the latter law the arrangement of these officers, with a like sanction, to offices of new creation, from which no one had been removed and to which no one had a just claim. It is on the authority of these examples, supported by the construction which I gave to the law, that I have acted in the discharge of this high trust. I am aware that many officers of great merit, having the strongest claims on their country, have been reduced and others dismissed, but under the law that result was inevitable. It is believed that none have been retained who had not, likewise, the strongest claims to the appointments which have been conferred on them. To discriminate between men of acknowledged merit, especially in a way to affect so sensibly and materially their feelings and interests, for many of whom I have personal consideration and regard, has been a most painful duty; yet I am conscious that I have discharged it with the utmost impartiality. Had I opened the door to change in any case, even where error might have been committed, against whom could I afterwards have closed it, and into what consequences might not such a proceeding have led? The same remarks are applicable to the subject in its relation to the Senate, to whose calm and enlightened judgment, with these explanations, I again submit the nominations which have been rejected.

JAMES MONROE.

APRIL 15, 1822.

To the Senate of the United States:

In compliance with the resolution of the Senate of the 12th instant, requesting the President of the United States "to cause to be laid before the Senate the original proceedings of the board of general officers charged with the reduction of the Army under the act of the 2d of March, 1821, together with all communications to and from said board on the subject of reducing the Army, including the case submitted to the Attorney-General, and his opinion thereon," I now transmit a report from the Secretary of War, furnishing the information requested.

JAMES MONROE.

WASHINGTON, *April 15, 1822.*

To the Senate of the United States:

In compliance with a resolution of the Senate requesting the President of the United States to lay before that House any report or information which may be in his possession as to the most eligible situation on the Western waters for the erection of a national arsenal, I herewith transmit a report from the Secretary of War, containing all the information on that subject in the possession of the Executive.

JAMES MONROE.

WASHINGTON, *April 15, 1822.*

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives of the 16th of February last, requesting the President of the United States "to communicate to that House whether any foreign government has made any claim to any part of the territory of the United States upon the coast of the Pacific Ocean north of the forty-second degree of latitude, and to what extent; whether any regulations have been made by foreign powers affecting the trade on that coast, and how it affects the interest of this Republic, and whether any communications have been made to this Government by foreign powers touching the contemplated occupation of Columbia River," I now transmit a report from the Secretary of State, containing the information embraced by that resolution.

JAMES MONROE.

WASHINGTON, *April 18, 1822.*

To the House of Representatives:

I communicate to the House of Representatives copies of sundry papers having relation to the transactions in East and West Florida, which have been received at the Department of State since my message to the two Houses of Congress of the 28th of January last, together with copies of two letters from the Secretary of State upon the same subject.

JAMES MONROE.

[The same message was sent to the Senate.]

WASHINGTON, *April 23, 1822.*

To the House of Representatives:

In compliance with a resolution of the House of Representatives of the 29th January last, requesting the President of the United States to cause to be communicated to that House certain information relative to the claim made by Jonathan Carver to certain lands within the United States near the Falls of St. Anthony, I now transmit a report of the Secretary of the Treasury, which, with the accompanying documents, contains all the information on this subject in the possession of the Executive.

JAMES MONROE.

WASHINGTON, *April 26, 1822.*

To the Senate of the United States:

I transmit to the Senate, agreeably to their resolution of yesterday, a report from the Secretary of State, with copies of the papers requested by that resolution, in relation to the recognition of the South American Provinces.

JAMES MONROE.

WASHINGTON, *April 29, 1822.*

To the House of Representatives:

I transmit to the House of Representatives a report from the Secretary of State, in pursuance of their resolution of the 29th instant,* "requesting to be furnished with a copy of the judicial proceedings in the United States court for the district of Louisiana in the case of the French slave ship *La Pensee*."

JAMES MONROE.

WASHINGTON, *April 30, 1822.*

To the Senate of the United States:

In compliance with a resolution of the Senate, requesting the President of the United States to cause to be laid before the Senate certain information respecting the practical operation of the system of subsisting the

---

* An error; so in the original message. The date of the resolution is the 18th of April.

Army under the provisions of the act passed the 14th of April, 1818, etc., I herewith transmit a report from the Secretary of War, furnishing the information required.

JAMES MONROE.

WASHINGTON, *May 1, 1822.*

To the Senate and House of Representatives of the United States:

In the message to both Houses of Congress at the commencement of their present session it was mentioned that the Government of Norway had issued an ordinance for admitting the vessels of the United States and their cargoes into the ports of that Kingdom upon the payment of no other or higher duties than are paid by Norwegian vessels, of whatever articles the said cargoes may consist and from whatever ports the vessels laden with them may come.

In communicating this ordinance to the Government of the United States that of Norway has requested the benefit of a similar and reciprocal provision for the vessels of Norway and their cargoes which may enter the ports of the United States.

This provision being within the competency only of the legislative authority of Congress, I communicate to them herewith copies of the communications received from the Norwegian Government in relation to the subject, and recommend the same to their consideration.

JAMES MONROE.

WASHINGTON, *May 1, 1822.*

To the Senate and House of Representatives of the United States:

I transmit herewith to Congress copies of letters received at the Department of State from the minister of Great Britain on the subject of the duties discriminating between imported rolled and hammered iron. I recommend them particularly to the consideration of Congress, believing that although there may be ground for controversy with regard to the application of the engagements of the treaty to the case, yet a liberal construction of those engagements would be compatible at once with a conciliatory and a judicious policy.

JAMES MONROE.

WASHINGTON, *May 4, 1822.*

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives of the 19th of April, requesting the President "to cause to be communicated to the House, if not injurious to the public interest, any letter which may have been received from Jonathan Russell, one of the ministers who concluded the treaty of Ghent, in conformity with the indications contained in his letter of the 25th of December, 1814," I have to state that having referred the resolution to the Secretary of State, and it appearing, by a report from him, that no such document had been deposited among the archives of the Department, I examined and found among my private papers a letter of that description marked "private" by himself. I transmit a copy of the report of the Secretary of State, by which it appears that Mr. Russell, on being apprised that the document referred to by the resolution had not been deposited in the Department of State, delivered there "a paper purporting to be the duplicate of a letter written by him from Paris on the 11th of February, 1815, to the then Secretary of State, to be communicated to the House as the letter called for by the resolution."

On the perusal of the document called for I find that it communicates a difference of opinion between Mr. Russell and a majority of his colleagues in certain transactions which occurred in the negotiations at Ghent, touching interests which have been since satisfactorily adjusted by treaty between the United States and Great Britain. The view which Mr. Russell presents of his own conduct and that of his colleagues in those transactions will, it is presumed, call from the two surviving members of that mission who differed from him a reply containing their view of those transactions and of the conduct of the parties in them, and who, should his letter be communicated to the House of Representatives, will also claim that their reply should be communicated in like manner by the Executive—a claim which, on the principle of equal justice, could not be resisted. The Secretary of State, one of the ministers referred to, has already expressed a desire that Mr. Russell's letter should be communicated, and that I would transmit at the same time a communication from him respecting it.

On full consideration of the subject I have thought it would be improper for the Executive to communicate the letter called for unless the House, on a knowledge of these circumstances, should desire it, in which case the document called for shall be communicated, accompanied by a report from the Secretary of State, as above suggested. I have directed a copy to be delivered to Mr. Russell, to be disposed of as he may think proper, and have caused the original to be deposited in the Department of State, with instruction to deliver a copy to any person who may be interested.

JAMES MONROE.

WASHINGTON, *May 6, 1822*.

To the Senate and House of Representatives:

I transmit to Congress translations of two letters from Don Joaquin d'Anduaga to the Secretary of State, which have been received at the Department of State since my last message communicating copies of his correspondence with this Government.

JAMES MONROE.

Don Joaquin de Anduaga to the Secretary of State.

[Translation.]

PHILADELPHIA, *April 24, 1822.*

SIR: As soon as the news was received in Madrid of the recent occurrences in New Spain after the arrival at Vera Cruz of the Captain-General and supreme political chief appointed for those Provinces, Don Juan O. Donojú, and some papers were seen relative to those same transactions, it was feared that for forming the treaty concluded in Cordova on the 24th of August last between the said General and the traitor, Colonel Dr. Augustine Iturbide, it had been falsely supposed that the former had power from His Catholic Majesty for that act, and in a little time the correctness of those suspicions was found, as, among other things, the said O. Donojú, when on the 26th of the same August he sent this treaty to the governor of Vera Cruz, notifying him of its prompt and punctual observance, he told him that at his sailing from the Peninsula preparation for the independence of Mexico was already thought of, and that its bases were approved of by the Government and by a commission of the Cortes. His Majesty, on sight of this and of the fatal impression which so great an imposture had produced in some ultramarine Provinces, and what must without difficulty be the consequence among the rest, thought proper to order that, by means of a circular to all the chiefs and corporations beyond seas, this atrocious falsehood should be disbelieved; and now he has deigned to command me to make it known to the Government of the United States that it is false as far as General O. Donojú published beyond his instructions, by pointing out to it that he never could have been furnished with other instructions than those conformable to constitutional principles.

In compliance with this order of His Majesty, I can do no less than observe to you, sir, how unfounded one of the reasons is in your note of the 6th instant for the recognition by this Government of those of the insurgent Provinces of Spanish-America—that it was founded on the treaty made by O. Donojú with Iturbide—since not having had that power nor instruction to conclude it it is clearly null and of no value.

I repeat to you, sir, the sentiments of my distinguished consideration, and pray God that you live many years.

JOAQUIN DE ANDUAGA.

Don Joaquin de Anduaga to the Secretary of State.

[Translation.]

PHILADELPHIA, *April 26, 1822.*

JOHN QUINCY ADAMS,
Secretary of State.

SIR: I have received your note of the 15th instant, in which you are pleased to communicate to me the reasons which induce the President not only to refuse to His Catholic Majesty the satisfaction which he demanded in his royal name for the insults offered by General Jackson to the Spanish commissaries and officers, but to approve fully of the said chief's conduct.

Before answering the contents of the said note I thought it my duty to request instructions from my Government, and therefore without delay I have laid it before them. Until they arrive, therefore, I have confined myself to two observations:

First. If in my note of the 18th of November last I said that as General Jackson had not specified the actions which had induced him to declare the Spanish officers expelled from the Floridas criminal, nor given proof of them, I thought myself authorized to declare the accusation false, I did not this through inadvertency, but upon the evident principle that every person accused has a right to declare an accusation destitute of proof false, and, much more, an accusation not pretended to be proved. This assertion of mine does not presume that I am not persuaded of the merit of the said General and of the claim which he has upon the gratitude of his country; but although it is believed the duty of his country to eulogize and reward his eminent services, yet it will be lawful for the representative of a power outraged by him to complain of his conduct. I can not persuade myself that to aggravate my said expression you could have thought that I had been wanting in due respect, it not being possible for that opinion to have entered your mind, when by his orders Mr. Forsyth had sent to the Spanish minister on the 1st of September last a note, in which, complaining of the Captain-General of the island of Cuba, he accuses him of dishonorable pecuniary motives in not having delivered the archives, without giving any proof of so injurious an assertion; and I must remark that the rank of General Mabry in Spain is at least as elevated as that of General Jackson in the United States, and that the services performed by him to his country have rendered him as worthy as he of its consideration and respect.

Second. Although you are pleased to tell me that part of the papers taken from Colonel Coppinger are ready to be delivered, which the American commissioners, *after having examined them*, have adjudged to be returned to Spain, I do not think myself authorized to admit their return in this manner, but in the mode which I demanded in my note of the 22d of November last.

As I have seen by the public papers that the President has communicated to Congress the note which you were pleased to address to me, dated the 15th instant, and that it has been ordered to be printed, I take the liberty of requesting that you will have the goodness to use your influence that this my answer may be treated in the same manner, that Congress and the public may be informed that if I have not answered the first part of it as respects the general business, it is only to wait for the instructions of my Government, but that I have answered what was personal.

I renew to you, sir, the sentiments of my distinguished consideration.

JOAQUIN DE ANDUAGA.

WASHINGTON, *May 6, 1822*.

To the Senate of the United States:

In compliance with a resolution of the Senate of the 26th of April, requesting the President of the United States "to communicate to the Senate the report of the Attorney-General relative to any persons (citizens of the United States) who have been charged with or suspected of introducing any slaves into the United States contrary to existing laws," I transmit herewith two reports from the Attorney-General.

JAMES MONROE.

WASHINGTON, *May 7, 1822*.

To the Senate of the United States:

In compliance with the resolution of the Senate of the 25th of April, requesting certain information concerning lead mines on lands of the United States, I herewith transmit a report from the Secretary of War.

JAMES MONROE.

WASHINGTON, *May 7, 1822*.

To the House of Representatives:

In compliance with the resolution of the House of Representatives of the 23d of April, requesting the President of the United States to cause to be communicated to that House certain information respecting the lead mines of the State of Missouri, I herewith transmit a report of the Secretary of War.

JAMES MONROE.

WASHINGTON, *May 7, 1822*.

To the House of Representatives:

In compliance with the resolution of the House of Representatives of the 7th of May, requesting the President to communicate to that House a letter of Jonathan Russell, esq., referred to in his message of the 4th instant, together with such communications as he may have received relative thereto from any of the other ministers of the United States who negotiated the treaty of Ghent, I herewith transmit a report from the Secretary of State, with the documents called for by that resolution.

JAMES MONROE.

VETO MESSAGE.

WASHINGTON, *May 4, 1822*.

To the House of Representatives:

Having duly considered the bill entitled "An act for the preservation and repair of the Cumberland road," it is with deep regret, approving as I do the policy, that I am compelled to object to its passage and to return the bill to the House of Representatives, in which it originated, under a conviction that Congress do not possess the power under the Constitution to pass such a law.

A power to establish turnpikes with gates and tolls, and to enforce the collection of tolls by penalties, implies a power to adopt and execute a complete system of internal improvement. A right to impose duties to be paid by all persons passing a certain road, and on horses and carriages, as is done by this bill, involves the right to take the land from the proprietor on a valuation and to pass laws for the protection of the road from injuries, and if it exist as to one road it exists as to any other, and to as many roads as Congress may think proper to establish. A right to legislate for one of these purposes is a right to legislate for the others. It is a complete right of jurisdiction and sovereignty for all the purposes of internal improvement, and not merely the right of applying money under the power vested in Congress to make appropriations, under which power,

WHITE HOUSE—THE EAST ROOM

with the consent of the States through which this road passes, the work was originally commenced, and has been so far executed. I am of opinion that Congress do not possess this power; that the States individually can not grant it, for although they may assent to the appropriation of money within their limits for such purposes, they can grant no power of jurisdiction or sovereignty by special compacts with the United States. This power can be granted only by an amendment to the Constitution and in the mode prescribed by it.

If the power exist, it must be either because it has been specifically granted to the United States or that it is incidental to some power which has been specifically granted. If we examine the specific grants of power we do not find it among them, nor is it incidental to any power which has been specifically granted.

It has never been contended that the power was specifically granted. It is claimed only as being incidental to some one or more of the powers which are specifically granted. The following are the powers from which it is said to be derived:

First, from the right to establish post-offices and post-roads; second, from the right to declare war; third, to regulate commerce; fourth, to pay the debts and provide for the common defense and general welfare; fifth, from the power to make all laws necessary and proper for carrying into execution all the powers vested by the Constitution in the Government of the United States or in any department or officer thereof; sixth and lastly, from the power to dispose of and make all needful rules and regulations respecting the territory and other property of the United States.

According to my judgment it can not be derived from either of those powers, nor from all of them united, and in consequence it does not exist.

Having stated my objections to the bill, I should now cheerfully communicate at large the reasons on which they are founded if I had time to reduce them to such form as to include them in this paper. The advanced stage of the session renders that impossible. Having at the commencement of my service in this high trust considered it a duty to express the opinion that the United States do not possess the power in question, and to suggest for the consideration of Congress the propriety of recommending to the States an amendment to the Constitution to vest the power in the United States, my attention has been often drawn to the subject since, in consequence whereof I have occasionally committed my sentiments to paper respecting it. The form which this exposition has assumed is not such as I should have given it had it been intended for Congress, nor is it concluded. Nevertheless, as it contains my views on this subject, being one which I deem of very high importance, and which in many of its bearings has now become peculiarly urgent, I will communicate it to Congress, if in my power, in the course of the day, or certainly on Monday next.

JAMES MONROE.

WASHINGTON, *May 4, 1822.*

To the House of Representatives:

I transmit the paper alluded to in the message of this day, on the subject of internal improvements.

JAMES MONROE.

VIEWS OF THE PRESIDENT OF THE UNITED STATES ON THE SUBJECT OF INTERNAL IMPROVEMENTS.

It may be presumed that the proposition relating to internal improvements by roads and canals, which has been several times before Congress, will be taken into consideration again either for the purpose of recommending to the States the adoption of an amendment to the Constitution to vest the necessary power in the General Government or to carry the system into effect on the principle that the power has already been granted. It seems to be the prevailing opinion that great advantage would be derived from the exercise of such a power by Congress. Respecting the right there is much diversity of sentiment. It is of the highest importance that this question should be settled. If the right exist, it ought forthwith to be exercised. If it does not exist, surely those who are friends to the power ought to unite in recommending an amendment to the Constitution to obtain it. I propose to examine this question.

The inquiry confined to its proper objects and within the most limited scale is extensive. Our Government is unlike other governments both in its origin and form. In analyzing it the differences in certain respects between it and those of other nations, ancient and modern, necessarily come into view. I propose to notice these differences so far as they are connected with the object of inquiry, and the consequences likely to result from them, varying in equal degree from those which have attended other governments. The digression, if it may be so called, will in every instance be short and the transition to the main object immediate and direct.

To do justice to the subject it will be necessary to mount to the source of power in these States and to pursue this power in its gradations and distribution among the several departments in which it is now vested. The great division is between the State governments and the General Government. If there was a perfect accord in every instance as to the precise extent of the powers granted to the General Government, we should then know with equal certainty what were the powers which remained to the State governments, since it would follow that those which were not granted to the one would remain to the other. But it is on this point, and particularly respecting the construction of these powers and their incidents, that a difference of opinion exists, and hence it is necessary to trace distinctly the origin of each government, the purposes intended by it, and the means adopted to accomplish them. By having the interior of both governments fully before us we shall have all the means which can be afforded to enable us to form a correct opinion of the endowments of each.

Before the Revolution the present States, then colonies, were separate communities, unconnected with each other except in their common relation to the Crown. Their governments were instituted by grants from the Crown, which operated, according to the conditions of each grant, in the nature of a compact between the settlers in each colony and the Crown. All power not retained in the Crown was vested exclusively in the colonies, each having a government consisting of an executive, a judiciary, and a legislative assembly, one branch of which was in every instance elected by the people. No office was hereditary, nor did any title under the Crown give rank or office in any of the colonies. In resisting the encroachments of the parent country and abrogating the power of the Crown the authority which had been held by it vested exclusively in the people of the colonies. By them was a Congress appointed, composed of delegates from each colony, who managed the war, declared independence, treated with foreign powers, and acted in all things according to the sense of their constituents. The Declaration of Independence confirmed in form what had before existed in substance. It announced to the world new States, possessing and exercising complete sovereignty, which they were resolved to maintain. They were soon after recognized by France and other powers, and finally by Great Britain herself in 1783.

Soon after the power of the Crown was annulled the people of each colony established a constitution or frame of government for themselves, in which these separate branches—legislative, executive, and judiciary—were instituted, each independent of the others. To these branches, each having its appropriate portion, the whole power of the people not delegated to Congress was communicated, to be exercised for their advantage on the representative principle by persons of their appointment, or otherwise deriving their authority immediately from them, and holding their offices for stated terms. All the powers necessary for useful purposes held by any of the strongest governments of the Old World not vested in Congress were imparted to these State governments without other checks than such as are necessary to prevent abuse, in the form of fundamental declarations or bills of right. The great difference between our governments and those of the Old World consists in this, that the former, being representative, the persons who exercise their powers do it not for themselves or in their own right, but for the people, and therefore while they are in the highest degree efficient they can never become oppressive. It is this transfer of the power of the people to representative and responsible bodies in every branch which constitutes the great improvement in the science of government and forms the boast of our system. It combines all the advantages of every known government without any of their disadvantages. It retains the sovereignty in the people, while it avoids the tumult and disorder incident to the exercise of that power by the people themselves. It possesses all the energy and efficiency of the most despotic governments, while it avoids all the oppressions and abuses inseparable from those governments.

In every stage of the conflict from its commencement until March, 1781, the powers of Congress were undefined, but of vast extent. The assemblies or conventions of the several colonies being formed by representatives from every county in each colony and the Congress by delegates from each colonial assembly, the powers of the latter for general purposes resembled those of the former for local. They rested on the same basis, the people, and were complete for all the purposes contemplated. Never was a movement so spontaneous, so patriotic, so efficient. The nation exerted its whole faculties in support of its rights, and of its independence after the contest took that direction, and it succeeded. It was, however, foreseen at a very early stage that although the patriotism of the country might be relied on in the struggle for its independence, a well-digested compact would be necessary to preserve it after obtained. A plan of confederation was in consequence proposed and taken into consideration by Congress even at the moment when the other great act which severed them from Great Britain and declared their independence was proclaimed to the world. This compact was ratified on the 21st March, 1781, by the last State, and thereupon carried into immediate effect.

The following powers were vested in the United States by the Articles of Confederation. As this, the first bond of union, was in operation nearly eight years, during which time a practical construction was given to many of its powers, all of which were adopted in the Constitution with important additions, it is thought that a correct view of those powers and of the manner in which they are executed may shed light on the subject under consideration. It may fairly be presumed that where certain powers were transferred from one instrument to the other and in the same terms, or terms descriptive only of the same powers, that it was intended that they should be construed in the same sense in the latter that they were in the former.

Article I declares that the style of the Confederacy shall be "The United States of America."

Article II. Each State retains its sovereignty, freedom, and independence, and every power and right which is not expressly delegated to the United States.

Article III. The States severally enter into a firm league of friendship with each other for their common defense, the security of their liberties, and their mutual and general welfare, binding themselves to assist each other against all force offered to or attacks made upon them on account of religion, sovereignty, trade, etc.

Article IV. The free inhabitants of each State, paupers, vagabonds, and fugitives from justice excepted, shall be entitled to all the privileges and immunities of free citizens in the several States, etc. Fugitives from justice into any of the States shall be delivered up on the demand of the executive of the State from which they fled. Full faith and credit shall be given in each State to the records and acts of every other State.

Article V. Delegates shall be annually appointed by the legislature of each State to meet in Congress on the first Monday in November, with a power to recall, etc. No State shall appoint less than two nor more than seven, nor shall any delegate hold his office for more than three in six years. Each State shall maintain its own delegates. Each State shall have one vote. Freedom of speech shall not be impeached, and the members shall be protected from arrests, except for treason, etc.

Article VI. No State shall send or receive an embassy or enter into a treaty with a foreign power. Nor shall any person holding any office of profit or trust under the United States or any State accept any present, emolument, office, or title from a foreign power. Nor shall the United States or any State grant any title of nobility. No two States shall enter into any treaty without the consent of Congress. No State shall lay any imposts or duties which may interfere with any treaties entered into by the United States. No State shall engage in war unless it be invaded or menaced with invasion by some Indian tribe, nor grant letters of marque or reprisal unless it be against pirates, nor keep up vessels of war nor any body of troops in time of peace without the consent of Congress; but every State shall keep up a well-regulated militia, etc.

Article VII. When land forces are raised by any State for the common defense, all officers of and under the rank of colonel shall be appointed by the legislature of each State.

Article VIII. All charges of war and all other expenses which shall be incurred for the common defense or general welfare shall be defrayed out of a common treasury, which shall be supplied by the several States in proportion to the value of all the land in each State granted to individuals. The taxes for paying each proportion shall be levied by the several States.

Article IX. Congress shall have the sole and exclusive right and power of determining on peace and war, except in the cases mentioned in the sixth article; of sending and receiving ambassadors; entering into alliances, except, etc.; of establishing rules for deciding what captures on land and water shall be legal; of granting letters of marque and reprisal in time of peace; appointing courts for the trial of piracies and felonies on the high seas; for deciding controversies between the States and between individuals claiming lands under two or more States whose jurisdiction has been adjusted; of regulating the alloy and value of coin struck by their authority and of foreign coin; fixing the standard of weights and measures; regulating the trade with the Indians; establishing and regulating post-offices from one State to another and throughout all the States, and exacting such postage as may be requisite to defray the expenses of the office; of appointing all officers of the land forces except the regimental; appointing all the officers of the naval forces; to ascertain the necessary sums of money to be raised for the service of the United States and appropriate the same; to borrow money and emit bills of credit; to build and equip a Navy; to agree on the number of land forces and to make requisitions on each State for its quota; that the assent of nine States shall be requisite to these great acts.

Article X regulates the powers of the committee of the States to sit in the recess of Congress.

Article XI provides for the admission of Canada into the Confederation.

Article XII pledges the faith of the United States for the payment of all bills of credit issued and money borrowed on their account.

Article XIII. Every State shall abide by the determination of the United States on all questions submitted to them by the Confederation, the Articles of the Confederation to be perpetual and not to be altered without the consent of every State.

This bond of union was soon found to be utterly incompetent to the purposes intended by it. It was defective in its powers; it was defective also in the means of executing the powers actually granted by it. Being a league of sovereign and independent States, its acts, like those of all other leagues, required the interposition of the States composing it to give them effect within their respective jurisdictions. The acts of Congress without the aid of State laws to enforce them were altogether nugatory. The refusal or omission of one State to pass such laws was urged as a reason to justify like conduct in others, and thus the Government was soon at a stand.

The experience of a few years demonstrated that the Confederation could not be relied on for the security of the blessings which had been derived from the Revolution. The interests of the nation required a more efficient Government, which the good sense and virtue of the people provided by the adoption of the present Constitution.

The Constitution of the United States was formed by a convention of delegates from the several States, who met in Philadelphia, duly authorized for the purpose, and it was ratified by a convention in each State which was especially called to consider and decide on the same. In this progress the State governments were never suspended in their functions. On the contrary, they took the lead in it. Conscious of their incompetency to secure to the Union the blessings of the Revolution, they promoted the diminution of their own powers and the enlargement of those of the General Government in the way in which they might be most adequate and efficient. It is believed that no other example can be found of a Government exerting its influence to lessen its own powers, of a policy so enlightened, of a patriotism so pure and disinterested. The credit, however, is more especially due to the people of each State, in obedience to whose will and under whose control the State governments acted.

The Constitution of the United States, being ratified by the people of the several States, became of necessity to the extent of its powers the paramount authority of the Union. On sound principles it can be viewed in no other light. The people, the highest authority known to our system, from whom all our institutions spring and on whom they depend, formed it. Had the people of the several States thought proper to incorporate themselves into one community, under one government, they might have done it. They had the power, and there was nothing then nor is there anything now, should they be so disposed, to prevent it. They wisely stopped, however, at a certain point, extending the incorporation to that point, making the National Government thus far a consolidated Government, and preserving the State governments without that limit perfectly sovereign and independent of the National Government. Had the people of the several States incorporated themselves into one community, they must have remained such, their Constitution becoming then, like the constitution of the several States, incapable of change until altered by the will of the majority. In the institution of a State government by the citizens of a State a compact is formed to which all and every citizen are equal parties. They are also the sole parties and may amend it at pleasure. In the institution of the Government of the United States by the citizens of every State a compact was formed between the whole American people which has the same force and partakes of all the qualities to the extent of its powers as a compact between the citizens of a State in the formation of their own constitution. It can not be altered except by those who formed it or in the mode prescribed by the parties to the compact itself.

This Constitution was adopted for the purpose of remedying all defects of the Confederation, and in this it has succeeded beyond any calculation that could have been formed of any human institution. By binding the States together the Constitution performs the great office of the Confederation; but it is in that sense only that it has any of the properties of that compact, and in that it is more effectual to the purpose, as it holds them together by a much stronger bond; and in all other respects in which the Confederation failed the Constitution has been blessed with complete success. The Confederation was a compact between separate and independent States, the execution of whose articles in the powers which operated internally depended on the State governments. But the great office of the Constitution, by incorporating the people of the several States to the extent of its powers into one community and enabling it to act directly on the people, was to annul the powers of the State governments to that extent, except in cases where they were concurrent, and to preclude their agency in giving effect to those of the General Government. The Government of the United States relies on its own means for the execution of its powers, as the State governments do for the execution of theirs, both governments having a common origin or sovereign, the people—the State governments the people of each State, the National Government the people of every State—and being amenable to the power which created it. It is by executing its functions as a Government thus originating and thus acting that the Constitution of the United States holds the States together and performs the office of a league. It is owing to the nature of its powers and the high source from whence they are derived—the people—that it performs that office better than the Confederation or any league which ever existed, being a compact which the State governments did not form, to which they are not parties, and which executes its own powers independently of them.

There were two separate and independent governments established over our Union, one for local purposes over each State by the people of the State, the other for national purposes over all the States by the people of the United States. The whole power of the people, on the representative principle, is divided between them. The State governments are independent of each other, and to the extent of their powers are complete sovereignties. The National Government begins where the State governments terminate, except in some instances where there is a concurrent jurisdiction between them. This Government is also, according to the extent of its powers, a complete sovereignty. I speak here, as repeatedly mentioned before, altogether of representative sovereignties, for the real sovereignty is in the people alone.

The history of the world affords no such example of two separate and independent governments established over the same people, nor can it exist except in governments founded on the sovereignty of the people. In monarchies and other governments not representative there can be no such division of power. The government is inherent in the possessor; it is his, and can not be taken from him without a revolution. In such governments alliances and leagues alone are practicable. But with us individuals count for nothing in the offices which they hold; that is, they have no right to them. They hold them as representatives, by appointment from the people, in whom the sovereignty is exclusively vested. It is impossible to speak too highly of this system taken in its twofold character and in all its great principles of two governments, completely distinct from and independent of each other, each constitutional, founded by and acting directly on the people, each competent to all its purposes, administering all the blessings for which it was instituted, without even the most remote danger of exercising any of its powers in a way to oppress the people. A system capable of expansion over a vast territory not only without weakening either government, but enjoying the peculiar advantage of adding thereby new strength and vigor to the faculties of both; possessing also this additional advantage, that while the several States enjoy all the rights reserved to them of separate and independent governments, and each is secured by the nature of the Federal Government, which acts directly on the people, against the failure of the others to bear their equal share of the public burdens, and thereby enjoys in a more perfect degree all the advantages of a league, it holds them together by a bond altogether different and much stronger than the late Confederation or any league that was ever known before—a bond beyond their control, and which can not even be amended except in the mode prescribed by it. So great an effort in favor of human happiness was never made before; but it became those who made it. Established in the new hemisphere, descended from the same ancestors, speaking the same language, having the same religion and universal toleration, born equal and educated in the same principles of free government, made independent by a common struggle and menaced by the same dangers, ties existed between them which never applied before to separate communities. They had every motive to bind them together which could operate on the interests and affections of a generous, enlightened, and virtuous people, and it affords inexpressible consolation to find that these motives had their merited influence.

In thus tracing our institutions to their origin and pursuing them in their progress and modifications down to the adoption of this Constitution two important facts have been disclosed, on which it may not be improper in this stage to make a few observations. The first is that in wresting the power, or what is called the sovereignty, from the Crown it passed directly to the people. The second, that it passed directly to the people of each colony and not to the people of all the colonies in the aggregate; to thirteen distinct communities and not to one. To these two facts, each contributing its equal proportion, I am inclined to think that we are in an eminent degree indebted for the success of our Revolution. By passing to the people it vested in a community every individual of which had equal rights and a common interest. There was no family dethroned among us, no banished pretender in a foreign country looking back to his connections and adherents here in the hope of a recall; no order of nobility whose hereditary rights in the Government had been violated; no hierarchy which had been degraded and oppressed. There was but one order, that of the people, by whom everything was gained by the change. I mention it also as a circumstance of peculiar felicity that the great body of the people had been born and educated under these equal and original institutions. Their habits, their principles, and their prejudices were therefore all on the side of the Revolution and of free republican government.

Had distinct orders existed, our fortune might and probably would have been different. It would scarcely have been possible to have united so completely the whole force of the country against a common enemy. A contest would probably have arisen in the outset between the orders for the control. Had the aristocracy prevailed, the people would have been heartless. Had the people prevailed, the nobility would probably have left the country, or, remaining behind, internal divisions would have taken place in every State and a civil war broken out more destructive even than the foreign, which might have defeated the whole movement. Ancient and modern history is replete with examples proceeding from conflicts between distinct orders, of revolutions attempted which proved abortive, of republics which have terminated in despotism. It is owing to the simplicity of the elements of which our system is composed that the attraction of all the parts has been to a common center, that every change has tended to cement the union, and, in short, that we have been blessed with such glorious and happy success.

And that the power wrested from the British Crown passed to the people of each colony the whole history of our political movement from the emigration of our ancestors to the present day clearly demonstrates. What produced the Revolution?

The violation of our rights. What rights? Our chartered rights. To whom were the charters granted, to the people of each colony or to the people of all the colonies as a single community? We know that no such community as the aggregate existed, and of course that no such rights could be violated. It may be added that the nature of the powers which were given to the delegates by each colony and the manner in which they were executed show that the sovereignty was in the people of each and not in the aggregate. They respectively presented credentials such as are usual between ministers of separate powers, which were examined and approved before they entered on the discharge of the important duties committed to them. They voted also by colonies and not individually, all the members from one colony being entitled to one vote only. This fact alone, the first of our political association and at the period of our greatest peril, fixes beyond all controversy the source from whence the power which has directed and secured success to all our measures has proceeded.

Had the sovereignty passed to the aggregate, consequences might have ensued, admitting the success of our Revolution, which might even yet seriously affect our system. By passing to the people of each colony the opposition to Great Britain, the prosecution of the war, the Declaration of Independence, the adoption of the Confederation and of this Constitution are all imputable to them. Had it passed to the aggregate, every measure would be traced to that source; even the State governments might be said to have emanated from it, and amendments of their constitutions on that principle be proposed by the same authority. In short it is not easy to perceive all the consequences into which such a doctrine might lead. It is obvious that the people in mass would have had much less agency in all the great measures of the Revolution and in those which followed than they actually had, and proportionably less credit for their patriotism and services than they are now entitled to and enjoy By passing to the people of each colony the whole body in each were kept in constant and active deliberation on subjects of the highest national importance and in the supervision of the conduct of all the public servants in the discharge of their respective duties. Thus the most effectual guards were provided against abuses and dangers of every kind which human ingenuity could devise, and the whole people rendered more competent to the self-government which by an heroic exertion they had acquired.

I will now proceed to examine the powers of the General Government, which, like the governments of the several States, is divided into three branches—a legislative, executive, and judiciary—each having its appropriate share. Of these the legislative, from the nature of its powers, all laws proceeding from it, and the manner of its appointment, its members being elected immediately by the people, is by far the most important. The whole system of the National Government may be said to rest essentially on the powers granted to this branch. They mark the limit within which, with few exceptions, all the branches must move in the discharge of their respective functions. It will be proper, therefore, to take a full and correct view of the powers granted to it.

By the eighth section of the first article of the Constitution it is declared that Congress shall have power—

First. To lay and collect taxes, duties, imposts, and excises, to pay the debts, and provide for the common defense and general welfare of the United States;

Second. To borrow money;

Third. To regulate commerce with foreign nations, and among the several States, and with the Indian tribes;

Fourth. To establish an uniform rule of naturalization and uniform laws respecting bankruptcies;

Fifth. To coin money, regulate the value thereof and of foreign coin, and fix the standard of weights and measures;

Sixth. To provide for the punishment of counterfeiting the securities and current coin of the United States;

Seventh. To establish post-offices and post-roads;

Eighth. To promote the progress of science and useful arts by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries;

Ninth. To constitute tribunals inferior to the Supreme Court, to define and punish piracies and felonies committed on the high seas, and offenses against the laws of nations;

Tenth. To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water;

Eleventh. To raise and support armies;

Twelfth. To provide and maintain a navy;

Thirteenth. To make rules for the government of the land and naval forces;

Fourteenth. To provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions;

Fifteenth. To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be in the service of the United States, reserving to the States the appointment of the officers and the authority of training the militia according to the discipline prescribed by Congress;

Sixteenth. To exercise exclusive legislation in all cases whatever over such district (not exceeding 10 miles square) as may, by the cession of particular States and the acceptance of by Congress, become the seat of Government of the United States; and to exercise like authority over all places purchased, by the consent of the legislature of the State in which the same may be, for the erection of forts, magazines, arsenals, dockyards, and other needful buildings;

Seventeenth. And to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States or in any department or officer thereof.

To the other branches of the Government the powers properly belonging to each are granted. The President, in whom the executive power is vested, is made commander in chief of the Army and Navy, and militia when called into the service of the United States. He is authorized, with the advice and consent of the Senate, two-thirds of the members present concurring, to form treaties, to nominate and, with the advice and consent of the Senate, to appoint ambassadors, other public ministers, and consuls, judges of the Supreme Court, and all other officers whose appointments are not otherwise provided for by law. He has power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment. It is made his duty to give to Congress from time to time information of the state of the Union, to recommend to their consideration such measures as he may judge necessary and expedient, to convene both Houses on extraordinary occasions, to receive ambassadors, and to take care that the laws be faithfully executed.

The judicial power is vested in one Supreme Court and in such inferior courts as Congress may establish; and it is made to extend to all cases in law and equity arising under the Constitution, the laws of the United States, and treaties made under their authority. Cases affecting ambassadors and other public characters, cases of admiralty and maritime jurisdiction, causes in which the United States are a party, between two or more States, between citizens of different States, between citizens of the same State claiming grants of land under different States, between a State or the citizens thereof and foreign States, are specially assigned to these tribunals.

Other powers have been granted in other parts of the Constitution which, although they relate to specific objects, unconnected with the ordinary administration, yet, as they form important features in the Government and may shed useful light on the construction which ought to be given to the powers above enumerated, it is proper to bring into view.

By Article I, section 9, clause 1, it is provided that the migration or importation of such persons as any of the States now existing shall think proper to admit shall not be prohibited by Congress prior to the year 1808, but a tax or duty may be imposed on such importation not exceeding $10 for each person.

By Article III, section 3, clause 1, new States may be admitted by Congress into the Union, but that no new State shall be formed within the jurisdiction of another State, nor any State be formed by the junction of two or more States or parts of States without the consent of the legislature of the States concerned as well as of the United States. And by the next clause of the same article and section power is vested in Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States, with a proviso that nothing in the Constitution shall be so construed as to prejudice any claims of the United States or of any particular State.

By Article IV, section 4, the United States guarantee to every State a republican form of government and engage to protect each of them against invasion; and on application of the legislature, or of the executive when the legislature can not be convened, against domestic violence.

Of the other parts of the Constitution relating to power, some form restraints on the exercise of the powers granted to Congress and others on the exercise of the powers remaining to the States. The object in both instances is to draw more completely the line between the two governments and also to prevent abuses by either. Other parts operate like conventional stipulations between the States, abolishing between them all distinctions applicable to foreign powers and securing to the inhabitants of each State all the rights and immunities of citizens in the several States.

By the fifth article it is provided that Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments, or, on the application of the legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which in either case shall be valid as a part of the Constitution when ratified by the legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode may be proposed by Congress: *Provided*, That no State, without its consent, shall be deprived of its equal vote in the Senate, and that no amendment which may be made prior to the year 1808 shall affect the first and fourth clauses in the ninth section of the first article.

By the second section of the sixth article it is declared that the Constitution, and laws of the United States which shall be made in pursuance thereof, and all treaties made under the authority of the United States, shall be the supreme law of the land, and that the judges in every State shall be bound thereby, anything in the constitution or laws of any State to the contrary notwithstanding. This right in the National Government to execute its powers was indispensable to its existence. If the State governments had not been restrained from encroaching on the powers vested in the National Government, the Constitution, like the Confederation, would soon have been set at naught; and it was not within the limit of the human mind to devise any plan for the accomplishment of the object other than by making a national constitution which should be to the extent of its powers the supreme law of the land. This right in the National Government would have existed under the Constitution to the full extent provided for by this declaration had it not been made. To prevent the possibility of a doubt, however, on so important a subject it was proper to make the declaration.

Having presented above a full view of all the powers granted to the United States, it will be proper to look to those remaining to the States. It is by fixing the great powers which are admitted to belong to each government that we may hope to come to a right conclusion respecting those in controversy between them. In regard to the National Government, this task was easy because its powers were to be found in specific grants in the Constitution; but it is more difficult to give a detail of the powers of the State governments, as their constitutions, containing all powers granted by the people not specifically taken from them by grants to the United States, can not well be enumerated. Fortunately, a precise detail of all the powers remaining to the State governments is not necessary in the present instance. A knowledge of their great powers only will answer every purpose contemplated, and respecting these there can be no diversity in opinion. They are sufficiently recognized and established by the Constitution of the United States itself. In designating the important powers of the State governments it is proper to observe, first, that the territory contemplated by the Constitution belongs to each State in its separate character and not to the United States in their aggregate character. Each State holds territory according to its original charter, except in cases where cessions have been made to the United States by individual States. The United States had none when the Constitution was adopted which had not been thus ceded to them and which they held on the conditions on which such cession had been made. Within the individual States it is believed that they held not a single acre; but if they did it was as citizens held it, merely as private property. The territory acquired by cession lying without the individual States rests on a different principle, and is provided for by a separate and distinct part of the Constitution. It is the territory within the individual States to which the Constitution in its great principles applies, and it applies to such territory as the territory of a State and not as that of the United States. The next circumstance to be attended to is that the people composing this Union are the people of the several States, and not of the United States in the full sense of a consolidated government. The militia are the militia of the several States; lands are held under the laws of the States; descents, contracts, and all the concerns of private property, the administration of justice, and the whole criminal code, except in the cases of breaches of the laws of the United States made under and in conformity with the powers vested in Congress and of the laws of nations, are regulated by State laws. This enumeration shows the great extent of the powers of the State governments. The territory and the people form the basis on which all governments are founded. The militia constitutes their effective force. The regulation and protection of property and of personal liberty are also among the highest attributes of sovereignty. This, without other evidence, is sufficient to show that the great office of the Constitution of the United States is to unite the States together under a Government endowed with powers adequate to the purposes of its institution, relating, directly or indirectly, to foreign concerns, to the discharge of which a National Government thus formed alone could be competent.

This view of the exclusive jurisdiction of the several States over the territory within their respective limits, except in cases otherwise specially provided for, is supported by the obvious intent of the several powers granted to Congress, to which a more particular attention is now due. Of these the right to declare war is perhaps the most important, as well by the consequences attending war as by the other powers granted in aid of it. The right to lay taxes, duties, imposts, and excises, though necessary for the support of the civil government, is equally necessary to sustain the charges of war; the right to raise and support armies and a navy and to call forth and govern the militia when in the service of the United States are altogether of the latter kind. They are granted in aid of the power to make war and intended to give effect to it. These several powers are of great force and extent, and operate more directly within the limits and upon the resources of the States than any of the other powers. But still they are means only for given ends. War is declared and must be maintained, an army and a navy must be raised, fortifications must be erected for the common defense, debts must be paid. For these purposes duties, imposts, and excises are levied, taxes are laid, the lands, merchandise, and other property of the citizens are liable for them; if the money is not paid, seizures are made and the lands are sold. The transaction is terminated; the lands pass into other hands, who hold them, as the former proprietors did, under the laws of the individual States. They were means only to certain ends; the United States have nothing further to do with them. The same view is applicable to the power of the General Government over persons. The militia is called into the service of the United States; the service is performed; the corps returns to the State to which it belongs; it is the militia of such State, and not of the United States. Soldiers are required for the Army, who may be obtained by voluntary enlistment or by some other process founded in the principles of equality. In either case the citizen after the tour of duty is performed is restored to his former station in society, with his equal share in the common sovereignty of the nation. In all these cases, which are the strongest which can be given, we see that the right of the General Government is nothing more than what it is called in the Constitution, a power to perform certain acts, and that the subject on which it operates is a means only to that end; that it was both before and after that act under the protection and subject to the laws of the individual State within which it was.

To the other powers of the General Government the same remarks are applicable and with greater force. The right to regulate commerce with foreign powers was necessary as well to enable Congress to lay and collect duties and imposts as to support the rights of the nation in the intercourse with foreign powers. It is executed at the ports of the several States and operates almost altogether externally. The right to borrow and coin money and to fix its value and that of foreign coin are important to the establishment of a National Government, and particularly necessary in support of the right to declare war, as, indeed, may be considered the right to punish piracy and felonies on the high seas and offenses against the laws of nations. The right to establish an uniform rule of naturalization and uniform laws respecting bankruptcies seems to be essentially connected with the right to regulate commerce. The first branch of it relates to foreigners entering the country; the second to merchants who have failed. The right to promote the progress of useful arts and sciences may be executed without touching any of the individual States. It is accomplished by granting patents to inventors and preserving models, which may be done exclusively within the Federal district. The right to constitute courts inferior to the Supreme Court was a necessary consequence of the judiciary existing as a separate branch of the General Government. Without such inferior court in every State it would be difficult and might even be impossible to carry into effect the laws of the General Government. The right to establish post-offices and post-roads is essentially of the same character. For political, commercial, and social purposes it was important that it should be vested in the General Government. As a mere matter of regulation, and nothing more, I presume, was intended by it, it is a power easily executed and involving little authority within the States individually. The right to exercise exclusive legislation in all cases whatsoever over the Federal district and over forts, magazines, arsenals, dockyards, and other needful buildings with the consent of the State within which the same may be is a power of a peculiar character, and is sufficient in itself to confirm what has been said of all the other powers of the General Government. Of this particular grant further notice will hereafter be taken.

I shall conclude my remarks on this part of the subject by observing that the view which has been presented of the powers and character of the two Governments is supported by the marked difference which is observable in the manner of their endowment. The State governments are divided into three branches—a legislative, executive, and judiciary—and the appropriate duties of each assigned to it without any limitation of power except such as is necessary to guard against abuse, in the form of bills of right. But in instituting the National Government an entirely different principle was adopted and pursued. The Government itself is organized, like the State governments, into three branches, but its powers are enumerated and defined in the most precise form. The subject has already been too fully explained to require illustration by a general view of the whole Constitution, every part of which affords proof of what is here advanced. It will be sufficient to advert to the eighth section of the first article, being that more particularly which defines the powers and fixes the character of the Government of the United States. By this section it is declared that Congress shall have power, first, to lay and collect taxes, duties, imposts, and excises, etc.

Having shown the origin of the State governments and their endowments when first formed; having also shown the origin of the National Government and the powers vested in it, and having shown, lastly, the powers which are admitted to have remained to the State governments after those which were taken from them by the National Government, I will now proceed to examine whether the power to adopt and execute a system of internal improvement by roads and canals has been vested in the United States.

Before we can determine whether this power has been granted to the General Government it will be necessary to ascertain distinctly the nature and extent of the power requisite to make such improvements. When that is done we shall be able to decide whether such power is vested in the National Government.

If the power existed it would, it is presumed, be executed by a board of skillful engineers, on a view of the whole Union, on a plan which would secure complete effect to all the great purposes of our Constitution. It is not my intention, however, to take up the subject here on this scale. I shall state a case for the purpose of illustration only. Let it be supposed that Congress intended to run a road from the city of Washington to Baltimore and to connect the Chesapeake Bay with the Delaware and the Delaware with the Raritan by a canal, what must be done to carry the project into effect? I make here no question of the existing power. I speak only of the power necessary for the purpose. Commissioners would be appointed to trace a route in the most direct line, paying due regard to heights, water courses, and other obstacles, and to acquire the right to the ground over which the road and canal would pass, with sufficient breadth for each. This must be done by voluntary grants, or by purchases from individuals, or, in case they would not sell or should ask an exorbitant price, by condemning the property and fixing its value by a jury of the vicinage. The next object to be attended to after the road and canal are laid out and made is to keep them in repair We know that there are people in every community capable of committing voluntary injuries, of pulling down walls that are made to sustain the road, of breaking the bridges over water courses, and breaking the road itself. Some living near it might be disappointed that it did not pass through their lands and commit these acts of violence and waste from revenge or in the hope of giving it that direction, though for a short time. Injuries of this kind have been committed and are still complained of on the road from Cumberland to the Ohio. To accomplish this object Congress should have a right to pass laws to punish offenders wherever they may be found. Jurisdiction over the road would not be sufficient, though it were exclusive. It would seldom happen that the parties would be detected in the act. They would generally commit it in the night and fly far off before the sun appeared. The power to punish these culprits must therefore reach them wherever they go. They must also be amenable to competent tribunals, Federal or State. The power must likewise extend to another object not less essential or important than those already mentioned. Experience has shown that the establishment of turnpikes, with gates and tolls and persons to collect the tolls, is the best expedient that can be adopted to defray the expense of these improvements and the repairs which they necessarily require Congress must therefore have power to make such an establishment and to support it by such regulations with fines and penalties in the case of injuries, as may be competent to the purpose. The right must extend to all those objects, or it will be utterly incompetent. It is possessed and exercised by the States individually, and it must be possessed by the United States or the pretension must be abandoned.

Let it be further supposed that Congress, believing that they do possess the power, have passed an act for those purposes, under which commissioners have been appointed, who have begun the work. They are met at the first farm on which they enter by the owner, who forbids them to trespass on his land. They offer to buy it at a fair price or at twice or thrice its value. He persists in his refusal. Can they, on the principle recognized and acted on by all the State governments that in cases of this kind the obstinacy and perverseness of an individual must yield to the public welfare, summon a jury of upright and discreet men to condemn the land, value it, and compel the owner to receive the amount and to deliver it up to them? I believe that very few would concur in the opinion that such a power exists.

The next object is to preserve these improvements from injury. The locks of the canal are broken, the walls which sustained the road are pulled down, the bridges are broken, the road itself is plowed up, toll is refused to be paid, the gates of the canal or turnpike are forced. The offenders are pursued, caught, and brought to trial. Can they be punished? The question of right must be decided on principle. The culprits will avail themselves of every barrier that may serve to screen them from punishment. They will plead that the law under which they stand arraigned is unconstitutional, and that question must be decided by the court, whether Federal or State, on a fair investigation of the powers vested in the General Government by the Constitution. If the judges find that these powers have not been granted to Congress, the prisoners must be acquitted, and by their acquittal all claim to the right to establish such a system is at an end.

I have supposed an opposition to be made to the right in Congress by the owner of the land and other individuals charged with breaches of laws made to protect the works from injury, because it is the mildest form in which it can present itself. It is not, however, the only one. A State, also, may contest the right, and then the controversy assumes another character. Government might contend against government, for to a certain extent both the Governments are sovereign and independent of each other, and in that form it is possible, though not probable, that opposition might be made. To each limitations are prescribed, and should a contest rise between them respecting their rights and the people sustain it with anything like an equal division of numbers the worst consequences might ensue.

It may be urged that the opposition suggested by the owner of the land or by the States individually may be avoided by a satisfactory arrangement with the parties. But a suppression of opposition in that way is no proof of a right in Congress, nor could it, if confined to that limit, remove all the impediments to the exercise of the power. It is not sufficient that Congress may by the command and application of the public revenue purchase the soil, and thus silence that class of individuals, or by the accommodation afforded to individual States put down opposition on their part. Congress must be able rightfully to control all opposition or they can not carry the system into effect. Cases would inevitably occur to put the right to the test. The work must be preserved from injury, tolls must be collected, offenders must be punished. With these culprits no bargain can be made. When brought to trial they must deny the validity of the law, and that plea being sustained all claim to the right ceases.

If the United States possess this power, it must be either because it has been specifically granted or that it is incidental and necessary to carry into effect some specific grant. The advocates for the power derive it from the following sources: First, the right to establish post-offices and post-roads; second, to declare war; third, to regulate commerce among the several States; fourth, from the power to pay the debts and provide for the common defense and general welfare of the United States; fifth, from the power to make all laws necessary and proper for carrying into execution all the powers vested by the Constitution in the Government of the United States or in any department or officer thereof; sixth and lastly, from the power to dispose of and make all needful rules and regulations respecting the territory and other property of the United States. It is to be observed that there is but little accord among the advocates for this power as to the particular source from whence it is derived. They all agree, however, in ascribing it to some one or more of those above mentioned. I will examine the ground of the claim in each instance.

The first of these grants is in the following words: "Congress shall have power to establish post-offices and post-roads." What is the just import of these words and the extent of the grant? The word "establish" is the ruling term; "post-offices and post-roads" are the subjects on which it acts. The question therefore is, What power is granted by that word? The sense in which words are commonly used is that in which they are to be understood in all transactions between public bodies and individuals. The intention of the parties is to prevail, and there is no better way of ascertaining it than by giving to the terms used their ordinary import. If we were to ask any number of our most enlightened citizens, who had no connection with public affairs and whose minds were unprejudiced, what was the import of the word "establish" and the extent of the grant which it controls, we do not think there would be any difference of opinion among them. We are satisfied that all of them would answer that a power was thereby given to Congress to fix on the towns, court-houses, and other places throughout our Union at which there should be post-offices, the routes by which the mails should be carried from one post-office to another, so as to diffuse intelligence as extensively and to make the institution as useful as possible, to fix the postage to be paid on every letter and packet thus carried, to support the establishment, and to protect the post-office and mails from robbery by punishing those who should commit the offense. The idea of a right to lay off the roads of the United States on a general scale of improvement, to take the soil from the proprietor by force, to establish turnpikes and tolls, and to punish offenders in the manner stated above would never occur to any such person. The use of the existing road by the stage, mail carrier, or postboy in passing over it as others do is all that would be thought of, the jurisdiction and soil remaining to the State, with a right in the State or those authorized by its legislature to change the road at pleasure.

The intention of the parties is supported by other proof, which ought to place it beyond all doubt. In the former act of Government, the Confederation, we find a grant for the same purpose expressed in the following words: "The United States in Congress assembled shall have the sole and exclusive right and power of establishing and regulating post-offices from one State to another throughout all the United States, and exacting such postage on the papers passing through the same as may be requisite to defray the expenses of the said office." The term "establish" was likewise the ruling one in that instrument, and was evidently intended and understood to give a power simply and solely to fix where there should be post-offices. By transferring this term from the Confederation into the Constitution it was doubtless intended that it should be understood in the same sense in the latter that it was in the former instrument, and to be applied alike to post-offices and post-roads. In whatever sense it is applied to post-offices it must be applied in the same sense to post-roads. But it may be asked, If such was the intention, why were not all the other terms of the grant transferred with it? The reason is obvious. The Confederation being a bond of union between independent States, it was necessary in granting the powers which were to be exercised over them to be very explicit and minute in defining the powers granted. But the Constitution to the extent of its powers having incorporated the States into one Government like the government of the States individually, fewer words in defining the powers granted by it were not only adequate, but perhaps better adapted to the purpose. We find that brevity is a characteristic of the instrument. Had it been intended to convey a more enlarged power in the Constitution than had been granted in the Confederation, surely the same controlling term would not have been used, or other words would have been added, to show such intention and to mark the extent to which the power should be carried. It is a liberal construction of the powers granted in the Constitution by this term to include in it all the powers that were granted in the Confederation by terms which specifically defined and, as was supposed, extended their limits. It would be absurd to say that by omitting from the Constitution any portion of the phraseology which was deemed important in the Confederation the import of that term was enlarged, and with it the powers of the Constitution, in a proportional degree, beyond what they were in the Confederation. The right to exact postage and to protect the post-offices and mails from robbery by punishing the offenders may fairly be considered as incidents to the grant, since without it the object of the grant might be defeated. Whatever is absolutely necessary to the accomplishment of the object of the grant, though not specified, may fairly be considered as included in it. Beyond this the doctrine of incidental power can not be carried.

If we go back to the origin of our settlements and institutions and trace their progress down to the Revolution, we shall see that it was in this sense, and in none other, that the power was exercised by all our colonial governments. Post-offices were made for the country, and not the country for them. They are the offspring of improvement; they never go before it. Settlements are first made, after which the progress is uniform and simple, extending to objects in regular order most necessary to the comfort of man—schools, places of public worship, court-houses, and markets; post-offices follow. Roads may, indeed, be said to be coeval with settlements; they lead to all the places mentioned, and to every other which the various and complicated interests of society require.

It is believed that not one example can be given, from the first settlement of our country to the adoption of this Constitution, of a post-office being established without a view to existing roads or of a single road having been made by pavement, turnpike, etc., for the sole purpose of accommodating a post-office. Such, too, is the uniform progress of all societies. In granting, then, this power to the United States it was undoubtedly intended by the framers and ratifiers of the Constitution to convey it in the sense and extent only in which it had been understood and exercised by the previous authorities of the country.

This conclusion is confirmed by the object of the grant and the manner of its execution. The object is the transportation of the mail throughout the United States, which may be done on horseback, and was so done until lately, since the establishment of stages. Between the great towns and in other places where the population is dense stages are preferred because they afford an additional opportunity to make a profit from passengers; but where the population is sparse and on crossroads it is generally carried on horseback. Unconnected with passengers and other objects, it can not be doubted that the mail itself may be carried in every part of our Union with nearly as much economy and greater dispatch on horseback than in a stage, and in many parts with much greater. In every part of the Union in which stages can be preferred the roads are sufficiently good provided those which serve for every other purpose will accommodate them. In every other part where horses alone are used if other people pass them on horseback surely the mail carrier can. For an object so simple and so easy in its execution it would doubtless excite surprise if it should be thought proper to appoint commissioners to lay off the country on a great scheme of improvement, with the power to shorten distances, reduce heights, level mountains, and pave surfaces.

If the United States possessed the power contended for under this grant, might they not in adopting the roads of the individual States for the carriage of the mail, as has been done, assume jurisdiction over them and preclude a right to interfere with or alter them? Might they not establish turnpikes and exercise all the other acts of sovereignty above stated over such roads necessary to protect them from injury and defray the expense of repairing them? Surely if the right exists these consequences necessarily followed as soon as the road was established. The absurdity of such a pretension must be apparent to all who examine it. In this way a large portion of the territory of every State might be taken from it, for there is scarcely a road in any State which will not be used for the transportation of the mail. A new field for legislation and internal government would thus be opened.

From this view of the subject I think we may fairly conclude that the right to adopt and execute a system of internal improvement, or any part of it, has not been granted to Congress under the power to establish post-offices and post-roads; that the common roads of the country only were contemplated by that grant and are fully competent to all its purposes.

The next object of inquiry is whether the right to declare war includes the right to adopt and execute this system of improvement. The objections to it are, I presume, not less conclusive than those which are applicable to the grant which we have just examined.

Under the last-mentioned grant a claim has been set up to as much of that system as relates to roads. Under this it extends alike to roads and canals.

We must examine this grant by the same rules of construction that were applied to the preceding one. The object was to take this power from the individual States and to vest it in the General Government. This has been done in clear and explicit terms, first by granting the power to Congress, and secondly by prohibiting the exercise of it by the States. "Congress shall have a right to declare war." This is the language of the grant. If the right to adopt and execute this system of improvement is included in it, it must be by way of incident only, since there is nothing in the grant itself which bears any relation to roads and canals. The following considerations, it is presumed, prove incontestably that this power has not been granted in that or any other manner.

The United States are exposed to invasion through the whole extent of their Atlantic coast by any European power with whom we might be engaged in war—on the northern and northwestern frontier on the side of Canada by Great Britain, and on the southern by Spain or any power in alliance with her. If internal improvements are to be carried to the full extent to which they may be useful for military purposes, the power as it exists must apply to all the roads of the Union, there being no limitation to it. Wherever such improvements may facilitate the march of troops, the transportation of cannon, or otherwise aid the operations or mitigate the calamities of war along the coast or in any part of the interior they would be useful for military purposes, and might therefore be made. The power following as an incident to another power can be measured as to its extent by reference only to the obvious extent of the power to which it is incidental. So great a scope was, it is believed, never given to incidental power.

If it had been intended that the right to declare war should include all the powers necessary to maintain war, it would follow that nothing would have been done to impair the right or to restrain Congress from the exercise of any power which the exigencies of war might require. The nature and extent of this exigency would mark the extent of the power granted, which should always be construed liberally, so as to be adequate to the end. A right to raise money by taxes, duties, excises, and by loan, to raise and support armies and a navy, to provide for calling forth, arming, disciplining, and governing the militia when in the service of the United States, establishing fortifications and governing the troops stationed in them independently of the State authorities, and to perform many other acts is indispensable to the maintenance of war—no war with any great power can be prosecuted with success without the command of the resources of the Union in all these respects. These powers, then, would of necessity and by common consent have fallen within the right to declare war had it been intended to convey by way of incident to that right the necessary powers to maintain war. But these powers have all been granted specifically with many others, in great detail, which experience had shown were necessary for the purposes of war. By specifically granting, then, these powers it is manifest that every power was thus granted which it was intended to grant for military purposes, and that it was also intended that no important power should be included in this grant by way of incident, however useful it might be for some of the purposes of the grant.

By the sixteenth of the enumerated powers, Article I, section 8, Congress are authorized to exercise exclusive legislation in all cases whatever over such district as may by cession of particular States and the acceptance of Congress, not exceeding 10 miles square, become the seat of the Government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dockyards, and other useful buildings. If any doubt existed on a view of other parts of the Constitution respecting the decision which ought to be formed on the question under consideration, I should suppose that this clause would completely remove it. It has been shown after the most liberal construction of all the enumerated powers of the General Government that the territory within the limits of the respective States belonged to them; that the United States had no right under the powers granted to them, with the exception specified in this grant, to any the smallest portion of territory within a State, all those powers operating on a different principle and having their full effect without impairing in the slightest degree this right in the States; that those powers were in every instance means to ends, which being accomplished left the subject—that is, the property, in which light only land could be regarded—where it was before, under the jurisdiction and subject to the laws of the State governments.

The second number of the clause, which is applicable to military and naval purposes alone, claims particular attention here. It fully confirms the view taken of the other enumerated powers, for had it been intended to include in the right to declare war, by way of incident, any right of jurisdiction or legislation over territory within a State, it would have been done as to fortifications, magazines, arsenals, dockyards, and other needful buildings. By specifically granting the right as to such small portions of territory as might be necessary for these purposes and on certain conditions, minutely and well defined, it is manifest that it was not intended to grant it as to any other portion on any condition for any purpose or in any manner whatsoever.

It may be said that although the authority to exercise exclusive legislation in certain cases within the States with their consent may be considered as a prohibition to Congress to exercise like exclusive legislation in any other case, although their consent should be granted, it does not prohibit the exercise of such jurisdiction or power within a State as would be competent to all the purposes of internal improvement. I can conceive no ground on which the idea of such a power over any part of the territory of a State can be inferred from the power to declare war. There never can be an occasion for jurisdiction for military purposes except in fortifications, dockyards, and the like places. If the soldiers are in the field or are quartered in garrisons without the fortifications, the civil authority must prevail where they are. The government of the troops by martial law is not affected by it. In war, when the forces are increased and the movement is on a greater scale, consequences follow which are inseparable from the exigencies of the state. More freedom of action and a wider range of power in the military commanders, to be exercised on their own responsibility, may be necessary to the public safety; but even here the civil authority of the State never ceases to operate. It is also exclusive for all civil purposes.

Whether any power short of that stated would be adequate to the purposes of internal improvement is denied. In the case of territory one government must prevail for all the purposes intended by the grant. The jurisdiction of the United States might be modified in such manner as to admit that of the State in all cases and for all purposes not necessary to the execution of the proposed power; but the right of the General Government must be complete for all the purposes above stated. It must extend to the seizure and condemnation of the property, if necessary; to the punishment of offenders for injuries to the roads and canals; to the establishment and enforcement of tolls, etc. It must be a complete right to the extent above stated or it will be of no avail. That right does not exist.

The reasons which operate in favor of the right of exclusive legislation in forts, dockyards, etc., do not apply to any other places. The safety of such works and of the cities which they are intended to defend, and even of whole communities, may sometimes depend on it. If spies are admitted within them in time of war, they might communicate intelligence to the enemy which might be fatal. All nations surround such works with high walls and keep their gates shut. Even here, however, three important conditions are indispensable to such exclusive legislation: First, the ground must be requisite for and be applied to those purposes; second, it must be purchased; third, it must be purchased by the consent of the State in which it may be. When we find that so much care has been taken to protect the sovereignty of the States over the territory within their respective limits, admitting that of the United States over such small portions and for such special and important purposes only, the conclusion is irresistible not only that the power necessary for internal improvements has not been granted, but that it has been clearly prohibited.

I come next to the right to regulate commerce, the third source from whence the right to make internal improvements is claimed. It is expressed in the following words: "Congress shall have power to regulate commerce with foreign nations and among the several States and with the Indian tribes." The reasoning applicable to the preceding claims is equally so to this. The mischief complained of was that this power could not be exercised with advantage by the individual States, and the object was to transfer it to the United States. The sense in which the power was understood and exercised by the States was doubtless that in which it was transferred to the United States. The policy was the same as to three branches of this grant, and it is scarcely possible to separate the two first from each other in any view which may be taken of the subject. The last, relating to the Indian tribes, is of a nature distinct from the others for reasons too well known to require explanation. Commerce between independent powers or communities is universally regulated by duties and imposts. It was so regulated by the States before the adoption of this Constitution equally in respect to each other and to foreign powers. The goods and vessels employed in the trade are the only subjects of regulation. It can act on none other. A power, then, to impose such duties and imposts in regard to foreign nations and to prevent any on the trade between the States was the only power granted.

If we recur to the causes which produced the adoption of this Constitution, we shall find that injuries resulting from the regulation of trade by the States respectively and the advantages anticipated from the transfer of the power to Congress were among those which had the most weight. Instead of acting as a nation in regard to foreign powers, the States individually had commenced a system of restraint on each other whereby the interests of foreign powers were promoted at their expense. If one State imposed high duties on the goods or vessels of a foreign power to countervail the regulations of such power, the next adjoining States imposed lighter duties to invite those articles into their ports, that they might be transferred thence into the other States, securing the duties to themselves. This contracted policy in some of the States was soon counteracted by others. Restraints were immediately laid on such commerce by the suffering States, and thus had grown up a state of affairs disorderly and unnatural, the tendency of which was to destroy the Union itself and with it all hope of realizing those blessings which we had anticipated from the glorious Revolution which had been so recently achieved. From this deplorable dilemma, or, rather, certain ruin, we were happily rescued by the adoption of the Constitution.

Among the first and most important effects of this great Revolution was the complete abolition of this pernicious policy. The States were brought together by the Constitution as to commerce into one community equally in regard to foreign nations and each other. The regulations that were adopted regarded us in both respects as one people. The duties and imposts that were laid on the vessels and merchandise of foreign nations were all uniform throughout the United States, and in the intercourse between the States themselves no duties of any kind were imposed other than between different ports and counties within the same State.

This view is supported by a series of measures, all of a marked character, preceding the adoption of the Constitution. As early as the year 1781 Congress recommended it to the States to vest in the United States a power to levy a duty of 5 per cent on all goods imported from foreign countries into the United States for the term of fifteen years. In 1783 this recommendation, with alterations as to the kind of duties and an extension of this term to twenty-five years, was repeated and more earnestly urged. In 1784 it was recommended to the States to authorize Congress to prohibit, under certain modifications, the importation of goods from foreign powers into the United States for fifteen years. In 1785 the consideration of the subject was resumed, and a proposition presented in a new form, with an address to the States, explaining fully the principles on which a grant of the power to regulate trade was deemed indispensable. In 1786 a meeting took place at Annapolis of delegates from several of the States on this subject, and on their report a convention was formed at Philadelphia the ensuing year from all the States, to whose deliberations we are indebted for the present Constitution.

In none of these measures was the subject of internal improvement mentioned or even glanced at. Those of 1784, 1785, 1786, and 1787, leading step by step to the adoption of the Constitution, had in view only the obtaining of a power to enable Congress to regulate trade with foreign powers. It is manifest that the regulation of trade with the several States was altogether a secondary object, suggested by and adopted in connection with the other. If the power necessary to this system of improvement is included under either branch of this grant, I should suppose that it was the first rather than the second. The pretension to it, however, under that branch has never been set up. In support of the claim under the second no reason has been assigned which appears to have the least weight.

The fourth claim is founded on the right of Congress to "pay the debts and provide for the common defense and general welfare" of the United States. This claim has less reason on its side than either of those which we have already examined. The power of which this forms a part is expressed in the following words: "Congress shall have power to lay and collect taxes, duties, imposts, and excises; to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States."

That the second part of this grant gives a right to appropriate the public money, and nothing more, is evident from the following considerations: First. If the right of appropriation is not given by this clause, it is not given at all, there being no other grant in the Constitution which gives it directly or which has any bearing on the subject, even by implication, except the two following: First, the prohibition, which is contained in the eleventh of the enumerated powers, not to appropriate money for the support of armies for a longer term than two years; and, second, the declaration of the sixth member or clause of the ninth section of the first article that no money shall be drawn from the Treasury but in consequence of appropriations made by law. Second. This part of the grant has none of the characteristics of a distinct and original power. It is manifestly incidental to the great objects of the first part of the grant, which authorizes Congress to lay and collect taxes, duties, imposts, and excises, a power of vast extent, not granted by the Confederation, the grant of which formed one of the principal inducements to the adoption of this Constitution. If both parts of the grant are taken together (as they must be, for the one follows immediately after the other in the same sentence), it seems to be impossible to give to the latter any other construction than that contended for. Congress shall have power to lay and collect taxes, duties, imposts, and excises. For what purpose? To pay the debts and provide for the common defense and general welfare of the United States, an arrangement and phraseology which clearly show that the latter part of the clause was intended to enumerate the purposes to which the money thus raised might be appropriated. Third. If this is not the real object and fair construction of the second part of this grant, it follows either that it has no import or operation whatever or one of much greater extent than the first part. This presumption is evidently groundless in both instances. In the first because no part of the Constitution can be considered useless; no sentence or clause in it without a meaning. In the second because such a construction as made the second part of the clause an original grant, embracing the same object with the first, but with much greater power than it, would be in the highest degree absurd. The order generally observed in grants, an order founded in common sense, since it promotes a clear understanding of their import, is to grant the power intended to be conveyed in the most full and explicit manner, and then to explain or qualify it, if explanation or qualification should be necessary. This order has, it is believed, been invariably observed in all the grants contained in the Constitution. In the second because if the clause in question is not construed merely as an authority to appropriate the public money, it must be obvious that it conveys a power of indefinite and unlimited extent; that there would have been no use for the special powers to raise and support armies and a navy, to regulate commerce, to call forth the militia, or even to lay and collect taxes, duties, imposts, and excises. An unqualified power to pay the debts and provide for the common defense and general welfare, as the second part of this clause would be if considered as a distinct and separate grant, would extend to every object in which the public could be interested. A power to provide for the common defense would give to Congress the command of the whole force and of all the resources of the Union; but a right to provide for the general welfare would go much further. It would, in effect, break down all the barriers between the States and the General Government and consolidate the whole under the latter.

The powers specifically granted to Congress are what are called the enumerated powers, and are numbered in the order in which they stand, among which that contained in the first clause holds the first place in point of importance. If the power created by the latter part of the clause is considered an original grant, unconnected with and independent of the first, as in that case it must be, then the first part is entirely done away, as are all the other grants in the Constitution, being completely absorbed in the transcendent power granted in the latter part; but if the clause be construed in the sense contended for, then every part has an important meaning and effect; not a line, a word, in it is superfluous. A power to lay and collect taxes, duties, imposts, and excises subjects to the call of Congress every branch of the public revenue, internal and external, and the addition to pay the debts and provide for the common defense and general welfare gives the right of applying the money raised—that is, of appropriating it to the purposes specified according to a proper construction of the terms. Hence it follows that it is the first part of the clause only which gives a power which affects in any manner the power remaining to the States, as the power to raise money from the people, whether it be by taxes, duties, imposts, or excises, though concurrent in the States as to taxes and excises must necessarily do. But the use or application of the money after it is raised is a power altogether of a different character. It imposes no burden on the people, nor can it act on them in a sense to take power from the States or in any sense in which power can be controverted, or become a question between the two Governments. The application of money raised under a lawful power is a right or grant which may be abused. It may be applied partially among the States, or to improper purposes in our foreign and domestic concerns; but still it is a power not felt in the sense of other power, since the only complaint which any State can make of such partiality and abuse is that some other State or States have obtained greater benefit from the application than by a just rule of apportionment they were entitled to. The right of appropriation is therefore from its nature secondary and incidental to the right of raising money, and it was proper to place it in the same grant and same clause with that right. By finding them, then, in that order we see a new proof of the sense in which the grant was made, corresponding with the view herein taken of it.

The last part of this grant, which provides that all duties, imposts, and excises shall be uniform throughout the United States, furnishes another strong proof that it was not intended that the second part should constitute a distinct grant in the sense above stated, or convey any other right than that of appropriation. This provision operates exclusively on the power granted in the first part of the clause. It recites three branches of that power—duties, imposts, and excises—those only on which it could operate, the rule by which the fourth—that is, taxes—should be laid being already provided for in another part of the Constitution. The object of this provision is to secure a just equality among the States in the exercise of that power by Congress. By placing it after both the grants—that is, after that to raise and that to appropriate the public money—and making it apply to the first only it shows that it was not intended that the power granted in the second should be paramount to and destroy that granted in the first. It shows also that no such formidable power as that suggested had been granted in the second, or any power against the abuse of which it was thought necessary specially to provide. Surely if it was deemed proper to guard a specific power of limited extent and well-known import against injustice and abuse, it would have been much more so to have guarded against the abuse of a power of such vast extent and so indefinite as would have been granted by the second part of the clause if considered as a distinct and original grant.

With this construction all the other enumerated grants, and, indeed, all the grants of power contained in the Constitution, have their full operation and effect. They all stand well together, fulfilling the great purposes intended by them. Under it we behold a great scheme, consistent in all its parts, a Government instituted for national purposes, vested with adequate powers for those purposes, commencing with the most important of all, that of the revenue, and proceeding in regular order to the others with which it was deemed proper to endow it, all, too, drawn with the utmost circumspection and care. How much more consistent is this construction with the great objects of the institution and with the high character of the enlightened and patriotic citizens who framed it, as well as of those who ratified it, than one which subverts every sound principle and rule of construction and throws everything into confusion.

I have dwelt thus long on this part of the subject from an earnest desire to fix in a clear and satisfactory manner the import of the second part of this grant, well knowing from the generality of the terms used their tendency to lead into error. I indulge a strong hope that the view herein presented will not be without effect, but will tend to satisfy the unprejudiced and impartial that nothing more was granted by that part than a power to *appropriate* the public money raised under the other part. To what extent that power may be carried will be the next object of inquiry.

It is contended on the one side that as the National Government is a government of limited powers it has no right to expend money except in the performance of acts authorized by the other specific grants according to a strict construction of their powers; that this grant in neither of its branches gives to Congress discretionary power of any kind, but is a mere instrument in its hands to carry into effect the powers contained in the other grants. To this construction I was inclined in the more early stage of our Government; but on further reflection and observation my mind has undergone a change, for reasons which I will frankly unfold.

The grant consists, as heretofore observed, of a twofold power—the first to raise, the second to appropriate, the public money—and the terms used in both instances are general and unqualified. Each branch was obviously drawn with a view to the other, and the import of each tends to illustrate that of the other. The grant to raise money gives a power over every subject from which revenue may be drawn, and is made in the same manner with the grants to declare war, to raise and support armies and a navy, to regulate commerce, to establish post-offices and post-roads, and with all the other specific grants to the General Government. In the discharge of the powers contained in any of these grants there is no other check than that which is to be found in the great principles of our system, the responsibility of the representative to his constituents. If war, for example, is necessary, and Congress declare it for good cause, their constituents will support them in it. A like support will be given them for the faithful discharge of their duties under any and every other power vested in the United States. It affords to the friends of our free governments the most heartfelt consolation to know—and from the best evidence, our own experience—that in great emergencies the boldest measures, such as form the strongest appeals to the virtue and patriotism of the people, are sure to obtain the most decided approbation. But should the representative act corruptly and betray his trust, or otherwise prove that he was unworthy of the confidence of his constituents, he would be equally sure to lose it and to be removed and otherwise censured, according to his deserts. The power to raise money by taxes, duties, imposts, and excises is alike unqualified. nor do I see any check on the exercise of it other than that which applies to the other powers above recited, the responsibility of the representative to his constituents. Congress know the extent of the public engagements and the sums necessary to meet them; they know how much may be derived from each branch of revenue without pressing it too far; and, paying due regard to the interests of the people, they likewise know which branch ought to be resorted to in the first instance. From the commencement of the Government two branches of this power, duties and imposts, have been in constant operation, the revenue from which has supported the Government in its various branches and met its other ordinary engagements. In great emergencies the other two, taxes and excises, have likewise been resorted to, and neither was the right or the policy ever called in question.

If we look to the second branch of this power, that which authorizes the appropriation of the money thus raised, we find that it is not less general and unqualified than the power to raise it. More comprehensive terms than to "pay the debts and provide for the common defense and general welfare" could not have been used. So intimately connected with and dependent on each other are these two branches of power that had either been limited the limitation would have had the like effect on the other. Had the power to raise money been conditional or restricted to special purposes, the appropriation must have corresponded with it, for none but the money raised could be appropriated, nor could it be appropriated to other purposes than those which were permitted. On the other hand, if the right of appropriation had been restricted to certain purposes, it would be useless and improper to raise more than would be adequate to those purposes. It may fairly be inferred these restraints or checks have been carefully and intentionally avoided. The power in each branch is alike broad and unqualified, and each is drawn with peculiar fitness to the other, the latter requiring terms of great extent and force to accommodate the former, which have been adopted, and both placed in the same clause and sentence.

Can it be presumed that all these circumstances were so nicely adjusted by mere accident? Is it not more just to conclude that they were the result of due deliberation and design? Had it been intended that Congress should be restricted in the appropriation of the public money to such expenditures as were authorized by a rigid construction of the other specific grants, how easy would it have been to have provided for it by a declaration to that effect. The omission of such declaration is therefore an additional proof that it was not intended that the grant should be so construed.

It was evidently impossible to have subjected this grant in either branch to such restriction without exposing the Government to very serious embarrassment. How carry it into effect? If the grant had been made in any degree dependent upon the States, the Government would have experienced the fate of the Confederation. Like it, it would have withered and soon perished. Had the Supreme Court been authorized, or should any other tribunal distinct from the Government be authorized, to impose its veto, and to say that more money had been raised under either branch of this power—that is, by taxes, duties, imposts, or excises—than was necessary, that such a tax or duty was useless, that the appropriation to this or that purpose was unconstitutional, the movement might have been suspended and the whole system disorganized. It was impossible to have created a power within the Government or any other power distinct from Congress and the Executive which should control the movement of the Government in this respect and not destroy it. Had it been declared by a clause in the Constitution that the expenditures under this grant should be restricted to the construction which might be given of the other grants, such restraint, though the most innocent, could not have failed to have had an injurious effect on the vital principles of the Government and often on its most important measures. Those who might wish to defeat a measure proposed might construe the power relied on in support of it in a narrow and contracted manner, and in that way fix a precedent inconsistent with the true import of the grant. At other times those who favored a measure might give to the power relied on a forced or strained construction, and, succeeding in the object, fix a precedent in the opposite extreme. Thus it is manifest that if the right of appropriation be confined to that limit, measures may oftentimes be carried or defeated by considerations and motives altogether independent of and unconnected with their merits, and the several powers of Congress receive constructions equally inconsistent with their true import. No such declaration, however, has been made, and from the fair import of the grant, and, indeed, its positive terms, the inference that such was intended seems to be precluded.

Many considerations of great weight operate in favor of this construction, while I do not perceive any serious objections to it. If it be established, it follows that the words "to provide for the common defense and general welfare" have a definite, safe, and useful meaning. The idea of their forming an original grant, with unlimited power, superseding every other grant, is abandoned. They will be considered simply as conveying a right of appropriation, a right indispensable to that of raising a revenue and necessary to expenditures under every grant. By it, as already observed, no new power will be taken from the States, the money to be appropriated being raised under a power already granted to Congress. By it, too, the motive for giving a forced or strained construction to any of the other specific grants will in most instances be diminished and in many utterly destroyed. The importance of this consideration can not be too highly estimated, since, in addition to the examples already given, it ought particularly to be recollected that to whatever extent any specified power may be carried the right of jurisdiction goes with it, pursuing it through all its incidents. The very important agency which this grant has in carrying into effect every other grant is a wrong argument in favor of the construction contended for. All the other grants are limited by the nature of the offices which they have severally to perform, each conveying a power to do a certain thing, and that only, whereas this is coextensive with the great scheme of the Government itself. It is the lever which raises and puts the whole machinery in motion and continues the movement. Should either of the other grants fail in consequence of any condition or limitation attached to it or misconstruction of its powers, much injury might follow, but still it would be the failure of one branch of power, of one item in the system only. All the others might move on. But should the right to raise and appropriate the public money be improperly restricted, the whole system might be sensibly affected, if not disorganized. Each of the other grants is limited by the nature of the grant itself; this, by the nature of the Government only. Hence it became necessary that, like the power to declare war, this power should be commensurate with the great scheme of the Government and with all its purposes.

If, then, the right to raise and appropriate the public money is not restricted to the expenditures under the other specific grants according to a strict construction of their powers, respectively, is there no limitation to it? Have Congress a right to raise and appropriate the money to any and to every purpose according to their will and pleasure? They certainly have not. The Government of the United States is a limited Government, instituted for great national purposes, and for those only. Other interests are committed to the States, whose duty it is to provide for them. Each government should look to the great and essential purposes for which it was instituted and confine itself to those purposes. A State government will rarely if ever apply money to national purposes without making it a charge to the nation. The people of the State would not permit it. Nor will Congress be apt to apply money in aid of the State administrations for purposes strictly local in which the nation at large has no interest, although the State should desire it. The people of the other States would condemn it. They would declare that Congress had no right to tax them for such a purpose, and dismiss at the next election such of their representatives as had voted for the measure, especially if it should be severely felt. I do not think that in offices of this kind there is much danger of the two Governments mistaking their interests or their duties. I rather expect that they would soon have a clear and distinct understanding of them and move on in great harmony.

Good roads and canals will promote many very important national purposes. They will facilitate the operations of war, the movements of troops, the transportation of cannon, of provisions, and every warlike store, much to our advantage and to the disadvantage of the enemy in time of war. Good roads will facilitate the transportation of the mail, and thereby promote the purposes of commerce and political intelligence among the people. They will by being properly directed to these objects enhance the value of our vacant lands, a treasure of vast resource to the nation. To the appropriation of the public money to improvements having these objects in view and carried to a certain extent I do not see any well-founded constitutional objection.

In regard to our foreign concerns, provided they are managed with integrity and ability, great liberality is allowable in the application of the public money. In the management of these concerns no State interests can be affected, no State rights violated. The complete and exclusive control over them is vested in Congress. The power to form treaties of alliance and commerce with foreign powers, to regulate by law our commerce with them, to determine on peace or war, to raise armies and a navy, to call forth the militia and direct their operations belongs to the General Government. These great powers, embracing the whole scope of our foreign relations, being granted, on what principle can it be said that the minor are withheld? Are not the latter clearly and evidently comprised in the former? Nations are sometimes called upon to perform to each other acts of humanity and kindness, of which we see so many illustrious examples between individuals in private life. Great calamities make appeals to the benevolence of mankind which ought not to be resisted. Good offices in such emergencies exalt the character of the party rendering them. By exciting grateful feelings they soften the intercourse between nations and tend to prevent war. Surely if the United States have a right to make war they have a right to prevent it. How was it possible to grant to Congress a power for such minor purposes other than in general terms, comprising it within the scope and policy of that which conveyed it for the greater?

The right of appropriation is nothing more than a right to apply the public money to this or that purpose. It has no incidental power, nor does it draw after it any consequences of that kind. All that Congress could do under it in the case of internal improvements would be to appropriate the money necessary to make them. For every act requiring legislative sanction or support the State authority must be relied on. The condemnation of the land, if the proprietors should refuse to sell it, the establishment of turnpikes and tolls, and the protection of the work when finished must be done by the State. To these purposes the powers of the General Government are believed to be utterly incompetent.

To the objection that the United States have no power in any instance which is not complete to all the purposes to which it may be made instrumental, and in consequence that they have no right to appropriate any portion of the public money to internal improvements because they have not the right of sovereignty and jurisdiction over them when made, a full answer has, it is presumed, been already given. It may, however, be proper to add that if this objection was well founded it would not be confined to the simple case of internal improvements, but would apply to others of high importance. Congress have a right to regulate commerce. To give effect to this power it becomes necessary to establish custom-houses in every State along the coast and in many parts of the interior. The vast amount of goods imported and the duties to be performed to accommodate the merchants and secure the revenue make it necessary that spacious buildings should be erected, especially in the great towns, for their reception. This, it is manifest, could best be performed under the direction of the General Government. Have Congress the right to seize the property of individuals if they should refuse to sell it, in quarters best adapted to the purpose, to have it valued, and to take it at the valuation? Have they a right to exercise jurisdiction within those buildings? Neither of these claims has ever been set up, nor could it, as is presumed, be sustained. They have invariably either rented houses where such as were suitable could be obtained, or, where they could not, purchased the ground of individuals, erected the buildings, and held them under the laws of the State. Under the power to establish post-offices and post-roads houses are also requisite for the reception of the mails and the transaction of the business of the several offices. These have always been rented or purchased and held under the laws of the State in the same manner as if they had been taken by a citizen. The United States have a right to establish tribunals inferior to the Supreme Court, and such have been established in every State of the Union. It is believed that the houses for these inferior courts have invariably been rented. No right of jurisdiction in them has ever been claimed, nor other right than that of privilege, and that only while the court is in session. A still stronger case may be urged. Should Congress be compelled by invasion or other cause to remove the Government to some town within one of the States, would they have a right of jurisdiction over such town, or hold even the house in which they held their session under other authority than the laws of such State? It is believed that they would not. If they have a right to appropriate money for any of these purposes, to be laid out under the protection of the laws of the State, surely they have an equal right to do it for the purposes of internal improvements.

It is believed that there is not a corporation in the Union which does not exercise great discretion in the application of the money raised by it to the purposes of its institution. It would be strange if the Government of the United States, which was instituted for such important purposes and endowed with such extensive powers, should not be allowed at least equal discretion and authority. The evil to be particularly avoided is the violation of State rights. Shunning that, it seems to be reasonable and proper that the powers of Congress should be so construed as that the General Government in its intercourse with other nations and in our internal concerns should be able to adopt all such measures lying within the fair scope and intended to facilitate the direct objects of its powers as the public welfare may require and a sound and provident policy dictate.

The measures of Congress have been in strict accord with the view taken of the right of appropriation both as to its extent and limitation, as will be shown by a reference to the laws, commencing at a very early period. Many roads have been opened, of which the following are the principal: The first from Cumberland, at the head waters of the Potomac, in the State of Maryland, through Pennsylvania and Virginia, to the State of Ohio (March 29, 1806; see vol. 4, p. 13, of the late edition of the laws). The second from the frontiers of Georgia, on the route from Athens to New Orleans, to its intersection with the thirty-first degree of north latitude (April 31, 1806, p. 58). The third from the Mississippi at a point and by a route described to the Ohio (same act). The fourth from Nashville, in Tennessee, to Natchez (same act). The fifth from the thirty-first degree of north latitude, on the route from Athens to New Orleans, under such regulations as might be agreed on between the Executive and the Spanish Government (March 3, 1807, p. 117). The sixth from the foot of the rapids of the river Miami, of Lake Erie, to the western line of the Connecticut Reserve (December 12, 1811, p. 364). The seventh from the Lower Sandusky to the boundary line established by the treaty of Greenville (same act). The eighth from a point where the United States road leading from Vincennes to the Indian boundary line, established by the treaty of Greenville, strikes the said line, to the North Bend, in the State of Ohio (January 8, 1812, p. 367). The ninth for repairing and keeping in repair the road between Columbia, on Duck River, in Tennessee, and Madisonville, in Louisiana, and also the road between Fort Hawkins, in Georgia, and Fort Stoddard (April 27, 1816, p. 104 of the acts of that year). The tenth from the Shawneetown, on the Ohio River, to the Sabine, and to Kaskaskias, in Illinois (April 27, 1816, p. 112). The eleventh from Reynoldsburg, on Tennessee River, in the State of Tennessee, through the Chickasaw Nation, to intersect the Natchez road near the Chickasaw old town (March 3, 1817, p. 252). The twelfth: By this act authority was given to the President to appoint three commissioners for the purpose of examining the country and laying out a road from the termination of the Cumberland road, at Wheeling, on the Ohio, through the States of Ohio, Indiana, and Illinois, to a point to be chosen by them, on the left bank of the Mississippi, between St. Louis and the mouth of the Illinois River, and to report an accurate plan of the said road, with an estimate of the expense of making it. It is, however, declared by the act that nothing was thereby intended to imply an obligation on the part of the United States to make or defray the expense of making the said road or any part thereof.

In the late war two other roads were made by the troops for military purposes—one from the Upper Sandusky, in the State of Ohio, through the Black Swamp, toward Detroit, and another from Plattsburg, on Lake Champlain, through the Chatauga woods toward Sacketts Harbor, which have since been repaired and improved by the troops. Of these latter there is no notice in the laws. The extra pay to the soldiers for repairing and improving those roads was advanced in the first instance from the appropriation to the Quartermaster's Department and afterwards provided for by a specific appropriation by Congress. The necessity of keeping those roads open and in good repair, being on the frontier, to facilitate a communication between our posts, is apparent.

All of these roads except the first were formed merely by cutting down the trees and throwing logs across, so as to make causeways over such parts as were otherwise impassable. The execution was of the coarsest kind. The Cumberland road is the only regular work which has been undertaken by the General Government or which could give rise to any question between the two Governments respecting its powers. It is a great work, over the highest mountains in our Union, connecting from the seat of the General Government the Eastern with the Western waters, and more intimately the Atlantic with the Western States, in the formation of which $1,800,000 have been expended. The measures pursued in this case require to be particularly noticed as fixing the opinion of the parties, and particularly of Congress, on the important question of the right. Passing through Maryland, Pennsylvania, and Virginia, it was thought necessary and proper to bring the subject before their respective legislatures to obtain their sanction, which was granted by each State by a legislative act, approving the route and providing for the purchase and condemnation of the land. This road was founded on an article of compact between the United States and the State of Ohio, under which that State came into the Union, and by which the expense attending it was to be defrayed by the application of a certain portion of the money arising from the sale of the public lands within that State. In this instance, which is by far the strongest in respect to the expense, extent, and nature of the work done, the United States have exercised no act of jurisdiction or sovereignty within either of the States by taking the land from the proprietors by force, by passing acts for the protection of the road, or to raise a revenue from it by the establishment of turnpikes and tolls, or any other act founded on the principle of jurisdiction or right. Whatever they have done has, on the contrary, been founded on the opposite principle, on the voluntary and unqualified admission that the sovereignty belonged to the State and not to the United States, and that they could perform no act which should tend to weaken the power of the State or to assume any to themselves. All that they have done has been to appropriate the public money to the construction of this road and to cause it to be constructed, for I presume that no distinction can be taken between the appropriation of money raised by the sale of the public lands and of that which arises from taxes, duties, imposts, and excises; nor can I believe that the power to appropriate derives any sanction from a provision to that effect having been made by an article of compact between the United States and the people of the then Territory of Ohio. This point may, however, be placed in a clearer light by a more particular notice of the article itself.

By an act of April 30, 1802, entitled "An act to enable the people of the eastern division of the territory northwest of the river Ohio to form a constitution and State government, and for the admission of such State into the Union on an equal footing with the original States, and for other purposes," after describing the limits of the proposed new State and authorizing the people thereof to elect a convention to form a constitution, the three following propositions were made to the convention, to be obligatory on the United States if accepted by it: First, that section No. 16 of every township, or, where such section had been sold, other lands equivalent thereto, should be granted to the inhabitants of such township for the use of free schools. Second, that the 6 miles' reservation, including the salt springs commonly called the Sciota Salt Springs, the salt springs near the Muskingum River and in the military tract, with the sections which include the same, should be granted to the said State for the use of the people thereof, under such regulations as the legislature of the State should prescribe: *Provided*, That it should never sell or lease the same for more than ten years. Third, that one-twentieth part of the proceeds of the public lands lying within the said State which might be sold by Congress from and after the 30th June ensuing should be applied to the laying out and making public roads from the navigable waters emptying into the Atlantic, to the Ohio, and through the State of Ohio, such roads to be laid out under the authority of Congress, with the consent of the several States through which they should pass.

These three propositions were made on the condition that the convention of the State should provide by an ordinance, irrevocable without the consent of the United

States, that every tract of land sold by Congress after the 30th of June ensuing should remain for the term of five years after sale exempt from every species of tax whatsoever.

It is impossible to read the ordinance of the 23d of April, 1784, or the provisions of the act of April 30, 1802, which are founded on it, without being profoundly impressed with the enlightened and magnanimous policy which dictated them. Anticipating that the new States would be settled by the inhabitants of the original States and their offspring, no narrow or contracted jealousy was entertained of their admission into the Union in equal participation in the national sovereignty with the original States. It was foreseen at the early period at which that ordinance passed that the expansion of our Union to the Lakes and to the Mississippi and all its waters would not only make us a greater power, but cement the Union itself. These three propositions were well calculated to promote these great results. A grant of land to each township for free schools, and of the salt springs to the State, which were within its limits, for the use of its citizens, with 5 per cent of the money to be raised from the sale of lands within the State for the construction of roads between the original States and the new State, and of other roads within the State, indicated a spirit not to be mistaken, nor could it fail to produce a corresponding effect in the bosoms of those to whom it was addressed. For these considerations the sole return required of the convention was that the new State should not tax the public lands which might be sold by the United States within it for the term of five years after they should be sold. As the value of these lands would be enhanced by this exemption from taxes for that term, and from which the new State would derive its proportionable benefit, and as it would also promote the rapid sale of those lands, and with it the augmentation of its own population, it can not be doubted, had this exemption been suggested unaccompanied by any propositions of particular advantage, that the convention would, in consideration of the relation which had before existed between the parties, and was about to be so much improved, most willingly have acceded to it and without regarding it as an onerous condition.

Since, then, it appears that the whole of the money to be employed in making this road was to be raised from the sale of the public lands, and which would still belong to the United States, although no mention had been made of them in the compact, it follows that the application of the money to that purpose stands upon the same ground as if such compact had not been made, and in consequence that the example in favor of the right of appropriation is in no manner affected by it.

The same rule of construction of the right of appropriation has been observed and the same liberal policy pursued toward the other new States, with certain modifications adapted to the situation of each, which were adopted with the State of Ohio. As, however, the reasoning which is applicable to the compact with Ohio in relation to the right of appropriation, in which light only I have adverted to it, is equally applicable to the several compacts with the other new States, I deem it unnecessary to take a particular notice of them.

It is proper to observe that the money which was employed in the construction of all the other roads was taken directly from the Treasury. This fact affords an additional proof that in the contemplation of Congress no difference existed in the application of money to those roads between that which was raised by the sale of lands and that which was derived from taxes, duties, imposts, and excises.

So far I have confined my remarks to the acts of Congress respecting the right of appropriation to such measures only as operate internally and affect the territory of the individual States. In adverting to those which operate externally and relate to foreign powers I find only two which appear to merit particular attention. These were gratuitous grants of money for the relief of foreigners in distress—the first in 1794 to the inhabitants of St. Domingo, who sought an asylum on our coast from the convulsions and calamities of the island; the second in 1812 to the people of

Caracas, reduced to misery by an earthquake. The considerations which were applicable to these grants have already been noticed and need not be repeated.

In this examination of the right of appropriation I thought it proper to present to view also the practice of the Government under it, and to explore the ground on which each example rested, that the precise nature and extent of the construction thereby given of the right might be clearly understood. The right to raise money would have given, as is presumed, the right to use it, although nothing had been said to that effect in the Constitution; and where the right to raise it is granted without special limitation, we must look for such limitation to other causes. Our attention is first drawn to the right to appropriate, and not finding it there we must then look to the general powers of the Government as designated by the specific grants and to the purposes contemplated by them, allowing to this (the right to raise money), the first and most important of the enumerated powers, a scope which will be competent to those purposes. The practice of the Government, as illustrated by numerous and strong examples directly applicable, ought surely to have great weight in fixing the construction of each grant. It ought, I presume, to settle it, especially where it is acquiesced in by the nation and produces a manifest and positive good. A practical construction, thus supported, shows that it has reason on its side and is called for by the interests of the Union. Hence, too, the presumption that it will be persevered in. It will surely be better to admit that the construction given by these examples has been just and proper than to deny that construction and still to practice on it—to say one thing and to do another.

Wherein consists the danger of giving a liberal construction to the right of Congress to raise and appropriate the public money? It has been shown that its obvious effect is to secure the rights of the States from encroachment and greater harmony in the political movement between the two governments, while it enlarges to a certain extent in the most harmless way the useful agency of the General Government for all the purposes of its institution. Is not the responsibility of the representative to his constituent in every branch of the General Government equally strong and as sensibly felt as in the State governments, and is not the security against abuse as effectual in the one as in the other government? The history of the General Government in all its measures fully demonstrates that Congress will never venture to impose unnecessary burdens on the people or any that can be avoided. Duties and imposts have always been light, not greater, perhaps, than would have been imposed for the encouragement of our manufactures had there been no occasion for the revenue arising from them; and taxes and excises have never been laid except in cases of necessity, and repealed as soon as the necessity ceased. Under this mild process and the sale of some hundreds of millions of acres of good land the Government will be possessed of money, which may be applied with great advantage to national purposes. Within the States only will it be applied, and, of course, for their benefit, it not being presumable that such appeals as were made to the benevolence of the country in the instances of the inhabitants of St. Domingo and Caracas will often occur. How, then, shall this revenue be applied? Should it be idle in the Treasury? That our resources will be equal to such useful purposes I have no doubt, especially if by completing our fortifications and raising and maintaining our Navy at the point provided for immediately after the war we sustain our present altitude and preserve by means thereof for any length of time the peace of the Union.

When we hear charges raised against other governments of breaches of their constitutions, or, rather, of their charters, we always anticipate the most serious consequences—communities deprived of privileges which they have long enjoyed, or individuals oppressed and punished in violation of the ordinary forms and guards of trial to which they were accustomed and entitled. How different is the situation of the United States! Nor can anything mark more strongly the great characteristics of that difference than the grounds on which like charges are raised against this Government. It is not alleged that any portion of the community or any individual has been oppressed or that money has been raised under a doubtful title. The principal charges are that a work of great utility to the Union and affecting immediately and with like advantage many of the States has been constructed; that pensions to the surviving patriots of our Revolution, to patriots who fought the battles and promoted the independence of their country, have been granted, by money, too, raised not only without oppression, but almost without being felt, and under an acknowledged constitutional power.

From this view of the right to appropriate and of the practice under it I think that I am authorized to conclude that the right to make internal improvements has not been granted by the power "to pay the debts and provide for the common defense and general welfare," included in the first of the enumerated powers; that that grant conveys nothing more than a right to appropriate the public money, and stands on the same ground with the right to lay and collect taxes, duties, imposts, and excises, conveyed by the first branch of that power; that the Government itself being limited, both branches of the power to raise and appropriate the public money are also limited, the extent of the Government as designated by the specific grants marking the extent of the power in both branches, extending, however, to every object embraced by the fair scope of those grants and not confined to a strict construction of their respective powers, it being safer to aid the purposes of those grants by the appropriation of money than to extend by a forced construction the grant itself; that although the right to appropriate the public money to such improvements affords a resource indispensably necessary to such a scheme, it is nevertheless deficient as a power in the great characteristics on which its execution depends.

The substance of what has been urged on this subject may be expressed in a few words. My idea is that Congress have an unlimited power to raise money, and that in its appropriation they have a discretionary power, restricted only by the duty to appropriate it to purposes of common defense and of general, not local, national, not State, benefit.

I will now proceed to the fifth source from which the power is said to be derived, viz, the power to make all laws which shall be necessary and proper for carrying into execution all the powers vested by the Constitution in the Government of the United States or in any department or officer thereof. This is the seventeenth and last of the enumerated powers granted to Congress.

I have always considered this power as having been granted on a principle of greater caution to secure the complete execution of all the powers which had been vested in the General Government. It contains no distinct and specific power, as every other grant does, such as to lay and collect taxes, to declare war, to regulate commerce, and the like. Looking to the whole scheme of the General Government, it gives to Congress authority to make all laws which should be deemed necessary and proper for carrying all its powers into effect. My impression has been invariably that this power would have existed substantially if this grant had not been made; for why is any power granted unless it be to be executed when required, and how can it be executed under our Government unless it be by laws necessary and proper for the purpose—that is, well adapted to the end? It is a principle universally admitted that a grant of a power conveys as a necessary consequence or incident to it the means of carrying it into effect by a fair construction of its import. In the formation, however, of the Constitution, which was to act directly upon the people and be paramount to the extent of its powers to the constitutions of the States, it was wise in its framers to leave nothing to implication which might be reduced to certainty It is known that all power which rests solely on that ground has been systematically and zealously opposed under all governments with which we have any acquaintance and it was reasonable to presume that under our system, where there was a division of the sovereignty between the two independent governments, the measures of the General Government would excite equal jealousy and produce an opposition not less systematic, though, perhaps, less violent. Hence the policy by the framers of our Government of securing by a fundamental declaration in the Constitution a principle which in all other governments had been left to implication only. The terms "necessary" and "proper" secure to the powers of all the grants to which the authority given in this is applicable a fair and sound construction, which is equally binding as a rule on both Governments and on all their departments.

In examining the right of the General Government to adopt and execute under this grant a system of internal improvement the sole question to be decided is whether the power has been granted under any of the other grants. If it has, this power is applicable to it to the extent stated. If it has not, it does not exist at all, for it has not been hereby granted. I have already examined all the other grants (one only excepted, which will next claim attention) and shown, as I presume, on the most liberal construction of their powers that the right has not been granted by any of them; hence it follows that in regard to them it has not been granted by this.

I come now to the last source from which this power is said to be derived, viz, the power to dispose of and make all needful rules and regulations respecting the territory or other property of the United States, which is contained in the second clause of the third section of the fourth article of the Constitution.

To form a just opinion of the nature and extent of this power it will be necessary to bring into view the provisions contained in the first clause of the section of the article referred to, which makes an essential part of the policy in question. By this it is declared that new States shall be admitted into the Union, but that no new States shall be formed or erected within the jurisdiction of any other State, nor any States be formed by the junction of two or more States or parts of States, without the consent of the legislatures of the States concerned as well as of the United States.

If we recur to the condition of our country at the commencement of the Revolution, we shall see the origin and cause of these provisions. By the charters of the several colonies limits by latitude and other descriptions were assigned to each. In commencing the Revolution the colonies, as has already been observed, claimed by those limits, although their population extended in many instances to a small portion of the territory lying within them. It was contended by some of the States after the declaration of independence that the vacant lands lying within any of the States should become the property of the Union, as by a common exertion they would be acquired. This claim was resisted by the others on the principle that all the States entered into the contest in the full extent of their chartered rights, and that they ought to have the full benefit of those rights in the event of success. Happily this controversy was settled, as all interfering claims and pretensions between the members of our Union and between the General Government and any of these members have been, in the most amicable manner and to the satisfaction of all parties. On the recommendation of Congress the individual States having such territory within their chartered limits ceded large portions thereof to the United States on condition that it should be laid off into districts of proper dimensions, the lands to be sold for the benefit of the United States, and that the districts be admitted into the Union when they should obtain such a population as it might be thought proper and reasonable to prescribe. This is the territory and this the property referred to in the second clause of the fourth article of the Constitution.

All the States which had made cessions of vacant territory except Georgia had made them before the adoption of the Constitution, and that State had made a proposition to Congress to that effect which was under consideration at the time the Constitution was adopted. The cession was completed after the adoption of the Constitution. It was made on the same principle and on similar conditions with those which had been already made by the other States As differences might arise respecting the right or the policy in Congress to admit new States into the Union under the new Government, or to make regulations for the government of the territory ceded in the intermediate state, or for the improvement and sale of the public lands, or to accept other cessions, it was thought proper to make special provisions for these objects, which was accordingly done by the above-recited clause in the Constitution.

Thus the power of Congress over the ceded territory was not only limited to these special objects, but was also temporary. As soon as the territory became a State the jurisdiction over it as it had before existed ceased. It extended afterwards only to the unsold lands, and as soon as the whole were sold it ceased in that sense also altogether. From that moment the United States have no jurisdiction or power in the new States other than in the old, nor can it be obtained except by an amendment of the Constitution.

Since, then, it is manifest that the power granted to Congress to dispose of and make all needful regulations respecting the territory and other property of the United States relates solely to the territory and property which had been ceded by individual States, and which after such cession lay without their respective limits, and for which special provision was deemed necessary, the main power of the Constitution operating internally, not being applicable or adequate thereto, it follows that this power gives no authority, and has even no bearing on the question of internal improvement. The authority to admit new States and to dispose of the property and regulate the territory is not among the enumerated powers granted to Congress, because the duties to be performed under it are not among the ordinary duties of that body, like the imposition of taxes, the regulation of commerce, and the like. They are objects in their nature special, and for which special provision was more suitable and proper.

Having now examined all the powers of Congress under which the right to adopt and execute a system of internal improvement is claimed and the reasons in support of it in each instance, I think that it may fairly be concluded that such a right has not been granted. It appears and is admitted that much may be done in aid of such a system by the right which is derived from several of the existing grants, and more especially from that to appropriate the public money. But still it is manifest that as a system for the United States it can never be carried into effect under that grant nor under all of them united, the great and essential power being deficient, consisting of a right to take up the subject on principle; to cause our Union to be examined by men of science, with a view to such improvements; to authorize commissioners to lay off the roads and canals in all proper directions; to take the land at a valuation if necessary, and to construct the works; to pass laws with suitable penalties for their protection; and to raise a revenue from them, to keep them in repair, and make further improvement by the establishment of turnpikes and tolls, with gates to be placed at the proper distances.

It need scarcely be remarked that this power will operate, like many others now existing, without affecting the sovereignty of the States except in the particular offices to be performed. The jurisdiction of the several States may still exist over the roads and canals within their respective limits, extending alike to persons and property, as if the right to make and protect such improvements had not been vested in Congress. The right, being made commensurate simply with the purposes indispensable to the system, may be strictly confined to them. The right of Congress to protect the works by laws imposing penalties would operate on the same principles as the right to protect the mail. The act being punishable only, a jurisdiction over the place would be altogether unnecessary and even absurd.

In the preceding inquiry little has been said of the advantages which would attend the exercise of such a power by the General Government. I have made the inquiry under a deep conviction that they are almost incalculable, and that there was a general concurrence of opinion among our fellow-citizens to that effect. Still, it may not be improper for me to state the grounds upon which my own impression is founded. If it sheds no additional light on this interesting part of the subject, it will at least show that I have had more than one powerful motive for making the inquiry. A general idea is all that I shall attempt.

The advantages of such a system must depend upon the interests to be affected by it and the extent to which they may be affected, and those must depend on the capacity of our country for improvement and the means at its command applicable to that object.

I think that I may venture to affirm that there is no part of our globe comprehending so many degrees of latitude on the main ocean and so many degrees of longitude into the interior that admits of such great improvement and at so little expense. The Atlantic on the one side, and the Lakes, forming almost inland seas, on the other, separated by high mountains, which rise in the valley of the St. Lawrence and determine in that of the Mississippi, traversing from north to south almost the whole interior, with innumerable rivers on every side of those mountains, some of vast extent, many of which take their sources near to each other, give the great outline. The details are to be seen on the valuable maps of our country.

It appears by the light already before the public that it is practicable and easy to connect by canals the whole coast from its southern to its northern extremity in one continued inland navigation, and to connect in like manner in many parts the Western lakes and rivers with each other. It is equally practicable and easy to facilitate the intercourse between the Atlantic and the Western country by improving the navigation of many of the rivers which have their sources near to each other in the mountains on each side, and by good roads across the mountains between the highest navigable points of those rivers. In addition to the example of the Cumberland road, already noticed, another of this kind is now in train from the head waters of the river James to those of the Kanawha; and in like manner may the Savannah be connected with the Tennessee. In some instances it is understood that the Eastern and Western waters may be connected together directly by canals. One great work of this kind is now in its progress and far advanced in the State of New York, and there is good reason to believe that two others may be formed, one at each extremity of the high mountains above mentioned, connecting in the one instance the waters of the St. Lawrence with Lake Champlain, and in the other some of the most important of the Western rivers with those emptying into the Gulf of Mexico, the advantage of which will be seen at the first glance by an enlightened observer.

Great improvements may also be made by good roads in proper directions through the interior of the country. As these roads would be laid out on principle on a full view of the country, its mountains, rivers, etc., it would be useless, if I had the knowledge, to go into detail respecting them. Much has been done by some of the States, but yet much remains to be done with a view to the Union.

Under the colonial governments improvements of this kind were not thought of. There was, it is believed, not one canal and little communication from colony to colony. It was their policy to encourage the intercourse between each colony and the parent country only. The roads which were attended to were those which led from the interior of each colony to its principal towns on the navigable waters. By those routes the produce of the country was carried to the coast, and shipped thence to the mercantile houses in London, Liverpool, Glasgow, or other towns to which the trade was carried on. It is believed that there was but one connected route from North to South at the commencement of the Revolution, and that a very imperfect one. The existence and principle of our Union point out the necessity of a very different policy.

The advantages which would be derived from such improvements are incalculable. The facility which would thereby be afforded to the transportation of the whole of the rich productions of our country to market would alone more than amply compensate for all the labor and expense attending them Great, however as is that advantage it is one only of many and by no means the most important. Every power of the General Government and of the State governments connected with the strength and resources of the country would be made more efficient for the purposes intended by them. In war they would facilitate the transportation of men, ordnance, and provisions, and munitions of war of every kind to every part of our extensive coast and interior on which an attack might be made or threatened. Those who have any knowledge of the occurrences of the late war must know the good effect which would result in the event of another war from the command of an interior navigation alone along the coast for all the purposes of war as well as of commerce between the different parts of our Union. The impediments to all military operations which proceeded from the want of such a navigation and the reliance which was placed, notwithstanding those impediments, on such a commerce can not be forgotten. In every other line their good effect would be most sensibly felt. Intelligence by means of the Post-Office Department would be more easily, extensively, and rapidly diffused. Parts the most remote from each other would be brought more closely together. Distant lands would be made more valuable, and the industry of our fellow-citizens on every portion of our soil be better rewarded.

It is natural in so great a variety of climate that there should be a corresponding difference in the produce of the soil; that one part should raise what the other might want. It is equally natural that the pursuits of industry should vary in like manner; that labor should be cheaper and manufactures succeed better in one part than in another; that were the climate the most severe and the soil less productive, navigation, the fisheries, and commerce should be most relied on. Hence the motive for an exchange for mutual accommodation and active intercourse between them. Each part would thus find for the surplus of its labor, in whatever article it consisted, an extensive market at home, which would be the most profitable because free from duty.

There is another view in which these improvements are of still more vital importance. The effect which they would have on the bond of union itself affords an inducement for them more powerful than any which have been urged or than all of them united. The only danger to which our system is exposed arises from its expansion over a vast territory. Our union is not held together by standing armies or by any ties other than the positive interests and powerful attractions of its parts toward each other. Ambitious men may hereafter grow up among us who may promise to themselves advancement from a change, and by practicing upon the sectional interests, feelings, and prejudices endeavor under various pretexts to promote it. The history of the world is replete with examples of this kind—of military commanders and demagogues becoming usurpers and tyrants, and of their fellow-citizens becoming their instruments and slaves. I have little fear of this danger, knowing well how strong the bond which holds us together is and who the people are who are thus held together; but still, it is proper to look at and to provide against it, and it is not within the compass of human wisdom to make a more effectual provision than would be made by the proposed improvements. With their aid and the intercourse which would grow out of them the parts would soon become so compacted and bound together that nothing could break it.

The expansion of our Union over a vast territory can not operate unfavorably to the States individually. On the contrary, it is believed that the greater the expansion within practicable limits—and it is not easy to say what are not so—the greater the advantage which the States individually will derive from it. With governments separate, vigorous, and efficient for all local purposes, their distance from each other can have no injurious effect upon their respective interests. It has already been shown that in some important circumstances, especially with the aid of these improvements they must derive great advantage from that cause alone—that is, from their distance from each other In every other way the expansion of our system must operate favorably for every State in proportion as it operates favorably for the

Union. It is in that sense only that it can become a question with the States, or, rather, with the people who compose them. As States they can be affected by it only by their relation to each other through the General Government and by its effect on the operations of that Government. Manifest it is that to any extent to which the General Government can sustain and execute its functions with complete effect will the States—that is, the people who compose them—be benefited. It is only when the expansion shall be carried beyond the faculties of the General Government so as to enfeeble its operations to the injury of the whole that any of the parts can be injured. The tendency in that stage will be to dismemberment and not to consolidation. This danger should, therefore, be looked at with profound attention as one of a very serious character. I will remark here that as the operations of the National Government are of a general nature, the States having complete power for internal and local purposes, the expansion may be carried to very great extent and with perfect safety. It must be obvious to all that the further the expansion is carried, provided it be not beyond the just limit, the greater will be the freedom of action to both Governments and the more perfect their security, and in all other respects the better the effect will be to the whole American people. Extent of territory, whether it be great or small, gives to a nation many of its characteristics. It marks the extent of its resources, of its population, of its physical force. It marks, in short, the difference between a great and a small power.

To what extent it may be proper to expand our system of government is a question which does not press for a decision at this time. At the end of the Revolutionary war, in 1783, we had, as we contended and believed, a right to the free navigation of the Mississippi, but it was not until after the expiration of twelve years, in 1795, that that right was acknowledged and enjoyed. Further difficulties occurred in the bustling of a contentious world when, at the expiration of eight years more, the United States, sustaining the strength and energy of their character, acquired the Province of Louisiana, with the free navigation of the river from its source to the ocean and a liberal boundary on the western side. To this Florida has since been added, so that we now possess all the territory in which the original States had any interest, or in which the existing States can be said, either in a national or local point of view, to be in any way interested. A range of States on the western side of the Mississippi, which already is provided for, puts us essentially at ease. Whether it will be wise to go further will turn on other considerations than those which have dictated the course heretofore pursued. At whatever point we may stop, whether it be at a single range of States beyond the Mississippi or by taking a greater scope, the advantage of such improvements is deemed of the highest importance. It is so on the present scale. The further we go the greater will be the necessity for them.

It can not be doubted that improvements for great national purposes would be better made by the National Government than by the governments of the several States. Our experience prior to the adoption of the Constitution demonstrated that in the exercise by the individual States of most of the powers granted to the United States a contracted rivalry of interest and misapplied jealousy of each other had an important influence on all their measures to the great injury of the whole. This was particularly exemplified by the regulations which they severally made of their commerce with foreign nations and with each other. It was this utter incapacity in the State governments, proceeding from these and other causes, to act as a nation and to perform all the duties which the nation owed to itself under any system which left the General Government dependent on the States, which produced the transfer of these powers to the United States by the establishment of the present Constitution. The reasoning which was applicable to the grant of any of the powers now vested in Congress is likewise so, at least to a certain extent, to that in question. It is natural that the States individually in making improvements should look to their particular and local interests. The members composing their respective legislatures represent the people of each State only, and might not feel themselves at liberty to look to objects in these respects beyond that limit. If the resources of the Union were to be brought into operation under the direction of the State assemblies, or in concert with them, it may be apprehended that every measure would become the object of negotiation, of bargain and barter, much to the disadvantage of the system, as well as discredit to both governments. But Congress would look to the whole and make improvements to promote the welfare of the whole. It is the peculiar felicity of the proposed amendment that while it will enable the United States to accomplish every national object, the improvements made with that view will eminently promote the welfare of the individual States, who may also add such others as their own particular interests may require.

The situation of the Cumberland road requires the particular and early attention of Congress. Being formed over very lofty mountains and in many instances over deep and wide streams, across which valuable bridges have been erected, which are sustained by stone walls, as are many other parts of the road, all these works are subject to decay, have decayed, and will decay rapidly unless timely and effectual measures are adopted to prevent it.

The declivities from the mountains and all the heights must suffer from the frequent and heavy falls of water and its descent to the valleys, as also from the deep congelations during our severe winters. Other injuries have also been experienced on this road, such as the displacing the capping of the walls and other works, committed by worthless people either from a desire to render the road impassable or to have the transportation in another direction, or from a spirit of wantonness to create employment for idlers. These considerations show that an active and strict police ought to be established over the whole road, with power to make repairs when necessary, to establish turnpikes and tolls as the means of raising money to make them, and to prosecute and punish those who commit waste and other injuries.

Should the United States be willing to abandon this road to the States through which it passes, would they take charge of it, each of that portion within its limits, and keep it in repair? It is not to be presumed that they would, since the advantages attending it are exclusively national, by connecting, as it does, the Atlantic with the Western States, and in a line with the seat of the National Government. The most expensive parts of this road lie within Pennsylvania and Virginia, very near the confines of each State and in a route not essentially connected with the commerce of either.

If it is thought proper to vest this power in the United States, the only mode in which it can be done is by an amendment of the Constitution. The States individually can not transfer the power to the United States, nor can the United States receive it. The Constitution forms an equal and the sole relation between the General Government and the several States, and it recognizes no change in it which shall not in like manner apply to all. If it is once admitted that the General Government may form compacts with individual States not common to the others, and which the others might even disapprove, into what pernicious consequences might it not lead? Such compacts are utterly repugnant to the principles of the Constitution and of the most dangerous tendency. The States through which this road passes have given their sanction only to the route and to the acquisition of the soil by the United States, a right very different from that of jurisdiction, which can not be granted without an amendment to the Constitution, and which need not be granted for the purposes of this system except in the limited manner heretofore stated. On full consideration, therefore, of the whole subject I am of opinion that such an amendment ought to be recommended to the several States for their adoption.

I have now essentially executed that part of the task which I imposed on myself of examining the right of Congress to adopt and execute a system of internal improvement and I presume, have shown that it does not exist. It is, I think, equally manifest that such a power vested in Congress and wisely executed would have the happiest effect on all the great interests of our Union. It is, however, my opinion that the power should be confined to great national works only, since if it were unlimited it would be liable to abuse and might be productive of evil. For all minor improvements the resources of the States individually would be fully adequate, and by the States such improvements might be made with greater advantage than by the Union, as they would understand better such as their more immediate and local interests required.

In the view above presented I have thought it proper to trace the origin of our institutions, and particularly of the State and National Governments, for although they have a common origin in the people, yet, as the point at issue turned on what were the powers granted to the one government and what were those which remained to the other, I was persuaded that an analysis which should mark distinctly the source of power in both governments, with its progress in each, would afford the best means for obtaining a sound result. In our political career there are, obviously, three great epochs. The colonial state forms the first; the Revolutionary movement from its commencement to the adoption of the Articles of Confederation the second, and the intervening space from that event to the present day the third. The first may be considered the infant state. It was the school of morality, of political science and just principles. The equality of rights enjoyed by the people of every colony under their original charters forms the basis of every existing institution, and it was owing to the creation by those charters of distinct communities that the power, when wrested from the Crown, passed directly and exclusively to the people of each colony. The Revolutionary struggle gave activity to those principles, and its success secured to them a permanent existence in the governments of our Union, State and National. The third epoch comprises the administration under the Articles of Confederation, with the adoption of the Constitution and administration under it. On the first and last of these epochs it is not necessary to enlarge for any purpose connected with the object of this inquiry. To the second, in which we were transferred by a heroic exertion from the first to the third stage, and whose events give the true character to every institution, some further attention is due. In tracing in greater detail the prominent acts of a movement to which we owe so much I shall perform an office which, if not useful, will be gratifying to my own feelings, and I hope not unacceptable to my readers.

Of the Revolutionary movement itself sentiments too respectful, too exalted, can not be entertained. It is impossible for any citizen having a just idea of the dangers which we had to encounter to read the record of our early proceedings and to see the firmness with which they were met and the wisdom and patriotism which were displayed in every stage without being deeply affected by it. An attack on Massachusetts was considered an attack on every colony, and the people of each moved in her defense as in their own cause. The meeting of the General Congress in Philadelphia on the 6th of September, 1774, appears to have been the result of a spontaneous impulse in every quarter at the same time. The first public act proposing it, according to the Journals of the First Congress, was passed by the house of representatives of Connecticut on the 3d of June of that year; but it is presumed that the first suggestion came from Massachusetts, the colony most oppressed, and in whose favor the general sympathy was much excited. The exposition which that Congress made of grievances, in the petition to the King, in the address to the people of Great Britain, and in that to the people of the several colonies, evinced a knowledge so profound of the English constitution and of the general principles of free government and of liberty, of our rights founded on that constitution and on the charters of the several colonies, and of the numerous and egregious violations which had been committed of them, as must have convinced all impartial minds that the talent on this side of the Atlantic was at least equal to that on the other. The spirit in which those papers were drawn, which was known to be in strict accord with the public sentiment, proved that, although the whole people cherished a connection with the parent country and were desirous of preserving it on just principles, they nevertheless stood embodied at the parting line, ready to separate forever if a redress of grievances, the alternative offered, was not promptly rendered. That alternative was rejected, and in consequence war and dismemberment followed.

The powers granted to the delegates of each colony who composed the First Congress looked primarily to the support of rights and to a redress of grievances, and, in consequence, to the restoration of harmony, which was ardently desired. They justified, however, any extremity in case of necessity. They were ample for such purposes, and were executed in every circumstance with the utmost fidelity. It was not until after the meeting of the Second Congress, which took place on the 10th May, 1775, when full proof was laid before it of the commencement of hostilities in the preceding month by a deliberate attack of the British troops on the militia and inhabitants of Lexington and Concord, in Massachusetts, that war might be said to be decided on, and measures were taken to support it. The progress even then was slow and reluctant, as will be seen by their second petition to the King and their second address to the people of Great Britain, which were prepared and forwarded after that event. The arrival, however, of large bodies of troops and the pressure of war in every direction soon dispelled all hope of accommodation.

On the 15th of June, 1775, a commander in chief of the forces raised and to be raised for the defense of American liberty was appointed by the unanimous vote of Congress, and his conduct in the discharge of the duties of that high trust, which he held through the whole of the war, has given an example to the world for talents as a military commander; for integrity, fortitude, and firmness under the severest trials; for respect to the civil authority and devotion to the rights and liberties of his country, of which neither Rome nor Greece have exhibited the equal. I saw him in my earliest youth, in the retreat through Jersey, at the head of a small band, or rather in its rear, for he was always next the enemy, and his countenance and manner made an impression on me which time can never efface. A lieutenant then in the Third Virginia Regiment, I happened to be on the rear guard at Newark, and I counted the force under his immediate command by platoons as it passed me, which amounted to less than 3,000 men. A deportment so firm, so dignified, so exalted, but yet so modest and composed, I have never seen in any other person.

On the 6th July, 1775, Congress published a declaration of the causes which compelled them to take up arms, and immediately afterwards took measures for augmenting the Army and raising a navy; for organizing the militia and providing cannon and small arms and military stores of every kind; for raising a revenue and pushing the war offensively with all the means in their power. Nothing escaped the attention of that enlightened body. The people of Canada were invited to join the Union, and a force sent into the province to favor the Revolutionary party, which, however, was not capable of affording any essential aid. The people of Ireland were addressed in terms manifesting due respect for the sufferings, the talents, and patriotism of that portion of the British Empire, and a suitable acknowledgment was made to the assembly of Jamaica for the approbation it had expressed of our cause and the part it had taken in support of it with the British Government.

On the 2d of June, 1775, the convention of Massachusetts, by a letter signed by their president, of May the 10th, stated to Congress that they labored under difficulties for the want of a regular form of government, and requested to be favored with explicit advice respecting the taking up and exercising the powers of civil government, and declaring their readiness to submit to such a general plan as the Congress might direct for the colonies, or that they would make it their great study to establish such a form of government there as should not only promote their own advantage, but the union and interest of all America. To this application an answer was given on the

9th, by which it was recommended to the convention "to write letters to the inhabitants of the several places entitled to representation in assembly, requesting them to choose such representatives, and that the assembly, when chosen, should elect councilors, and that said assembly or council should exercise the powers of government until a governor of His Majesty's appointment will consent to govern the colony according to its charter."

On the 18th October of the same year the delegates from New Hampshire laid before Congress an instruction from their convention "to use their utmost endeavors to obtain the advice and direction of Congress with respect to a method for administering justice and regulating their civil police." To this a reply was given on the 3d November, by which it was recommended to the convention "to call a full and free representation of the people, and that the representatives, if they thought it necessary, should establish such a form of government as in their judgment would best promote the happiness of the people and most effectually secure peace and good order in the Province during the continuance of the present dispute between Great Britain and the colonies."

On the 4th November it was resolved by Congress "that if the convention of South Carolina shall find it necessary to establish a form of government in that colony it be recommended to that convention to call a full and free representation of the people; and the said representatives, if they think it necessary, shall establish such a form of government as in their judgment will best promote the happiness of the people and most effectually secure peace and good order in the colony during the continuance of the present dispute between Great Britain and the colonies."

On the 4th December following a resolution passed recommending the same measure, and precisely in the same words, to the convention of Virginia.

On the 10th May, 1776, it was recommended to the respective assemblies and conventions of the united colonies, where no government sufficient to the exigencies of their affairs had been established, "to adopt such government as should, in the opinion of the representatives of the people, best conduce to the happiness and safety of their constituents in particular and America in general."

On the 7th June resolutions respecting independence were moved and seconded, which were referred to a committee of the whole on the 8th and 10th, on which latter day it was resolved to postpone a decision on the first resolution or main question until the 1st July, but that no time might be lost in case the Congress agree thereto that a committee be appointed to prepare a declaration to the effect of that resolution.

On the 11th June, 1776, Congress appointed a committee to prepare and digest a plan of confederation for the colonies. On the 12th July the committee reported a draft of articles, which were severally afterwards debated and amended until the 15th November, 1777, when they were adopted. These articles were then proposed to the legislatures of the several States, with a request that if approved by them they would authorize their delegates to ratify the same in Congress, and, which being done, to become conclusive. It was not until the 21st of March, 1781, as already observed, that they were ratified by the last State and carried into effect.

On the 4th July, 1776, independence was declared by an act which arrested the attention of the civilized world and will bear the test of time. For force and condensation of matter, strength of reason, sublimity of sentiment and expression, it is believed that no document of equal merit exists. It looked to everything, and with a reach, perspicuity, and energy of mind which seemed to be master of everything.

Thus it appears, in addition to the very important charge of managing the war, that Congress had under consideration at the same time the Declaration of Independence, the adoption of a confederation for the States, and the propriety of instituting State governments, with the nature of those governments, respecting which it had been consulted by the conventions of several of the colonies. So great a trust was never reposed before in a body thus constituted, and I am authorized to add, looking to the great result, that never were duties more ably or faithfully performed.

The distinguishing characteristic of this movement is that although the connection which had existed between the people of the several colonies before their dismemberment from the parent country was not only not dissolved but increased by that event, even before the adoption of the Articles of Confederation, yet the preservation and augmentation of that tie were the result of a new creation, and proceeded altogether from the people of each colony, into whose hands the whole power passed exclusively when wrested from the Crown. To the same cause the greater change which has since occurred by the adoption of the Constitution is to be traced.

The establishment of our institutions forms the most important epoch that history hath recorded. They extend unexampled felicity to the whole body of our fellow-citizens, and are the admiration of other nations. To preserve and hand them down in their utmost purity to the remotest ages will require the existence and practice of virtues and talents equal to those which were displayed in acquiring them. It is ardently hoped and confidently believed that these will not be wanting.

PROCLAMATIONS.

BY THE PRESIDENT OF THE UNITED STATES.

A PROCLAMATION.

Whereas by the second section of an act of Congress of the 6th of May last, entitled "An act in addition to the act concerning navigation, and also to authorize the appointment of deputy collectors," it is provided that in the event of the signature of any treaty or convention concerning the navigation or commerce between the United States and France the President of the United States, if he should deem the same expedient, may suspend by proclamation until the end of the next session of Congress the operation of the act entitled "An act to impose a new tonnage duty on French ships and vessels, and for other purposes," and also to suspend, as aforesaid, all other duties on French vessels or the goods imported in the same which may exceed the duties on American vessels and on similar goods imported in the same; and

Whereas a convention of navigation and commerce between the United States of America and His Majesty the King of France and Navarre has this day been duly signed by John Quincy Adams, Secretary of State, on the part of the United States, and by the Baron Hyde de Neuville, envoy extraordinary and minister plenipotentiary from France, on the part of His Most Christian Majesty, which convention is in the words following:

[Here follows the treaty.]

Now, therefore, be it known that I, James Monroe, President of the United States, in pursuance of the authority aforesaid, do hereby suspend, from and after the 1st day of October next until the end of the next session of Congress, the operation of the act aforesaid, entitled "An act to impose a new tonnage duty on French ships and vessels, and for other purposes," and also all other duties on French vessels and the goods being the growth, produce, and manufacture of France imported in the same which may exceed the duties on American vessels and on similar goods imported in the same, saving only the discriminating duties payable on French vessels and on articles the growth, produce, and manufacture of France imported in the same stipulated by the said convention to be paid.

In testimony whereof I have caused the seal of the United States to be affixed to these presents, and signed the same with my hand.

[SEAL.] Done at Washington, the 24th day of June, A. D. 1822, and of the Independence of the United States the forty-sixth.

JAMES MONROE.

By the President:

JOHN QUINCY ADAMS,
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas by an act of the Congress of the United States passed on the 6th day of May last it was provided that on satisfactory evidence being given to the President of the United States that the ports in the islands or colonies in the West Indies under the dominion of Great Britain have been opened to the vessels of the United States the President should be, and thereby was, authorized to issue his proclamation declaring that the ports of the United States should thereafter be open to the vessels of Great Britain employed in the trade and intercourse between the United States and such islands or colonies, subject to such reciprocal rules and restrictions as the President of the United States might by such proclamation make and publish, anything in the laws entitled "An act concerning navigation" or an act entitled "An act supplementary to an act concerning navigation" to the contrary notwithstanding; and

Whereas satisfactory evidence has been given to the President of the United States that the ports hereinafter named in the islands or colonies in the West Indies under the dominion of Great Britain have been opened to the vessels of the United States; that is to say, the ports of Kingston, Savannah le Mar, Montego Bay, Santa Lucia, Antonio, St. Ann, Falmouth, Maria, Morant Bay, in Jamaica; St. George, Grenada; Roseau, Dominica; St. Johns, Antigua; San Josef, Trinidad; Scarborough, Tobago; Road Harbour, Tortola; Nassau, New Providence; Pittstown, Crooked Island; Kingston, St. Vincent; Port St. George and Port Hamilton, Bermuda; any port where there is a custom-house, Bahamas; Bridgetown, Barbadoes; St. Johns, St. Andrews, New Brunswick; Halifax, Nova Scotia; Quebec, Canada; St. Johns, Newfoundland; Georgetown, Demerara; New

Amsterdam, Berbice; Castries, St. Lucia; Besseterre, St. Kitts; Charlestown, Nevis; and Plymouth, Montserrat:

Now, therefore, I, James Monroe, President of the United States of America, do hereby declare and proclaim that the ports of the United States shall hereafter, and until the end of the next session of the Congress of the United States, be open to the vessels of Great Britain employed in the trade and intercourse between the United States and the islands and colonies hereinbefore named, anything in the laws entitled "An act concerning navigation" or an act entitled "An act supplementary to an act conçerning navigation" to the contrary notwithstanding, under the following reciprocal rules and restrictions, namely:

To vessels of Great Britain, bona fide British built, owned and the master and three-fourths of the mariners of which at least shall belong to Great Britain, or any United States built ship or vessel which has been sold to and become the property of British subjects, such ship or vessel being also navigated with a master and three-fourths of the mariners at least belonging to Great Britain: *And provided always*, That no articles shall be imported into the United States in any such British ship or vessel other than articles of the growth, produce, or manufacture of the British islands and colonies in the West Indies when imported in British vessels coming from any such island or colony, and articles of the growth, produce, or manufacture of the British colonies in North America or of the island of Newfoundland in vessels coming from the port of St. Johns, in that island, or from any of the aforesaid ports of the British colonies in North America.

Given under my hand, at the city of Washington, this 24th day of August, A. D. 1822, and in the forty-seventh year of the Independence of the United States. JAMES MONROE.

By the President:

JOHN QUINCY ADAMS, *Secretary of State.*

SIXTH ANNUAL MESSAGE.

WASHINGTON, *December 3, 1822.*

Fellow-Citizens of the Senate and House of Representatives:

Many causes unite to make your present meeting peculiarly interesting to our constituents. The operation of our laws on the various subjects to which they apply, with the amendments which they occasionally require, imposes annually an important duty on the representatives of a free people. Our system has happily advanced to such maturity that I am not aware that your cares in that respect will be augumented. Other causes exist which are highly interesting to the whole civilized world, and to no portion of it more so, in certain views, than to the United

States. Of these causes and of their bearing on the interests of our Union I shall communicate the sentiments which I have formed with that freedom which a sense of duty dictates. It is proper, however, to invite your attention in the first instance to those concerns respecting which legislative provision is thought to be particularly urgent.

On the 24th of June last a convention of navigation and commerce was concluded in this city between the United States and France by ministers duly authorized for the purpose. The sanction of the Executive having been given to this convention under a conviction that, taking all its stipulations into view, it rested essentially on a basis of reciprocal and equal advantage, I deemed it my duty, in compliance with the authority vested in the Executive by the second section of the act of the last session of the 6th of May, concerning navigation, to suspend by proclamation until the end of the next session of Congress the operation of the act entitled "An act to impose a new tonnage duty on French ships and vessels, and for other purposes," and to suspend likewise all other duties on French vessels or the goods imported in them which exceeded the duties on American vessels and on similar goods imported in them. I shall submit this convention forthwith to the Senate for its advice and consent as to the ratification.

Since your last session the prohibition which had been imposed on the commerce between the United States and the British colonies in the West Indies and on this continent has likewise been removed. Satisfactory evidence having been adduced that the ports of those colonies had been opened to the vessels of the United States by an act of the British Parliament bearing date on the 24th of June last, on the conditions specified therein, I deemed it proper, in compliance with the provision of the first section of the act of the last session above recited, to declare, by proclamation bearing date on the 24th of August last, that the ports of the United States should thenceforward and until the end of the next session of Congress be opened to the vessels of Great Britain employed in that trade, under the limitation specified in that proclamation.

A doubt was entertained whether the act of Congress applied to the British colonies on this continent as well as to those in the West Indies, but as the act of Parliament opened the intercourse equally with both, and it was the manifest intention of Congress, as well as the obvious policy of the United States, that the provisions of the act of Parliament should be met in equal extent on the part of the United States, and as also the act of Congress was supposed to vest in the President some discretion in the execution of it, I thought it advisable to give it a corresponding construction.

Should the constitutional sanction of the Senate be given to the ratification of the convention with France, legislative provisions will be necessary to carry it fully into effect, as it likewise will be to continue in force, on such conditions as may be deemed just and proper, the intercourse which has been opened between the United States and the British colonies. Every light in the possession of the Executive will in due time be communicated on both subjects.

Resting essentially on a basis of reciprocal and equal advantage, it has been the object of the Executive in transactions with other powers to meet the propositions of each with a liberal spirit, believing that thereby the interest of our country would be most effectually promoted. This course has been systematically pursued in the late occurrences with France and Great Britain, and in strict accord with the views of the Legislature. A confident hope is entertained that by the arrangement thus commenced with each all differences respecting navigation and commerce with the dominions in question will be adjusted, and a solid foundation be laid for an active and permanent intercourse which will prove equally advantageous to both parties.

The decision of His Imperial Majesty the Emperor of Russia on the question submitted to him by the United States and Great Britain, concerning the construction of the first article of the treaty of Ghent, has been received. A convention has since been concluded between the parties, under the mediation of His Imperial Majesty, to prescribe the mode by which that article shall be carried into effect in conformity with that decision. I shall submit this convention to the Senate for its advice and consent as to the ratification, and, if obtained, shall immediately bring the subject before Congress for such provisions as may require the interposition of the Legislature.

In compliance with an act of the last session a Territorial government has been established in Florida on the principles of our system. By this act the inhabitants are secured in the full enjoyment of their rights and liberties, and to admission into the Union, with equal participation in the Government with the original States on the conditions heretofore prescribed to other Territories. By a clause in the ninth article of the treaty with Spain, by which that Territory was ceded to the United States, it is stipulated that satisfaction shall be made for the injuries, if any, which by process of law shall be established to have been suffered by the Spanish officers and individual Spanish inhabitants by the late operations of our troops in Florida. No provision having yet been made to carry that stipulation into effect, it is submitted to the consideration of Congress whether it will not be proper to vest the competent power in the district court at Pensacola, or in some tribunal to be specially organized for the purpose.

The fiscal operations of the year have been more successful than had been anticipated at the commencement of the last session of Congress.

The receipts into the Treasury during the three first quarters of the year have exceeded the sum of $14,745,000. The payments made at the Treasury during the same period have exceeded $12,279,000, leaving in the Treasury on the 30th day of September last, including $1,168,592.24

which were in the Treasury on the 1st day of January last, a sum exceeding $4,128,000.

Besides discharging all demands for the current service of the year, including the interest and reimbursement of the public debt, the 6 per cent stock of 1796, amounting to $80,000, has been redeemed. It is estimated that, after defraying the current expenses of the present quarter and redeeming the two millions of 6 per cent stock of 1820, there will remain in the Treasury on the 1st of January next nearly $3,000,000. It is estimated that the gross amount of duties which have been secured from the 1st of January to the 30th of September last has exceeded $19,500,000, and the amount for the whole year will probably not fall short of $23,000,000.

Of the actual force in service under the present military establishment, the posts at which it is stationed, and the condition of each post, a report from the Secretary of War which is now communicated will give a distinct idea. By like reports the state of the Academy at West Point will be seen, as will be the progress which has been made on the fortifications along the coast and at the national armories and arsenals.

The position on the Red River and that at the Sault of St. Marie are the only new posts that have been taken. These posts, with those already occupied in the interior, are thought to be well adapted to the protection of our frontiers. All the force not placed in the garrisons along the coast and in the ordnance depots, and indispensably necessary there, is placed on the frontiers.

The organization of the several corps composing the Army is such as to admit its expansion to a great extent in case of emergency, the officers carrying with them all the light which they possess to the new corps to which they might be appointed.

With the organization of the staff there is equal cause to be satisfied. By the concentration of every branch with its chief in this city, in the presence of the Department, and with a grade in the chief military station to keep alive and cherish a military spirit, the greatest promptitude in the execution of orders, with the greatest economy and efficiency, are secured. The same view is taken of the Military Academy. Good order is preserved in it, and the youth are well instructed in every science connected with the great objects of the institution. They are also well trained and disciplined in the practical parts of the profession. It has been always found difficult to control the ardor inseparable from that early age in such manner as to give it a proper direction. The rights of manhood are too often claimed prematurely, in pressing which too far the respect which is due to age and the obedience necessary to a course of study and instruction in every such institution are sometimes lost sight of. The great object to be accomplished is the restraint of that ardor by such wise regulations and government as, by directing all the energies of the youthful mind to the attainment of useful knowledge, will keep it within a just subordination and at the same time elevate it to the highest purposes. This object seems to be essentially obtained in this institution, and with great advantage to the Union.

The Military Academy forms the basis, in regard to science, on which the military establishment rests. It furnishes annually, after due examination and on the report of the academic staff, many well-informed youths to fill the vacancies which occur in the several corps of the Army, while others who retire to private life carry with them such attainments as, under the right reserved to the several States to appoint the officers and to train the militia, will enable them, by affording a wider field for selection, to promote the great object of the power vested in Congress of providing for the organizing, arming, and disciplining the militia. Thus by the mutual and harmonious cooperation of the two governments in the execution of a power divided between them, an object always to be cherished, the attainment of a great result, on which our liberties may depend, can not fail to be secured. I have to add that in proportion as our regular force is small should the instruction and discipline of the militia, the great resource on which we rely, be pushed to the utmost extent that circumstances will admit.

A report from the Secretary of the Navy will communicate the progress which has been made in the construction of vessels of war, with other interesting details respecting the actual state of the affairs of that Department. It has been found necessary for the protection of our commerce to maintain the usual squadrons on the Mediterranean, the Pacific, and along the Atlantic coast, extending the cruises of the latter into the West Indies, where piracy, organized into a system, has preyed on the commerce of every country trading thither. A cruise has also been maintained on the coast of Africa, when the season would permit, for the suppression of the slave trade, and orders have been given to the commanders of all our public ships to seize our own vessels, should they find any engaged in that trade, and to bring them in for adjudication.

In the West Indies piracy is of recent date, which may explain the cause why other powers have not combined against it. By the documents communicated it will be seen that the efforts of the United States to suppress it have had a very salutary effect. The benevolent provision of the act under which the protection has been extended alike to the commerce of other nations can not fail to be duly appreciated by them.

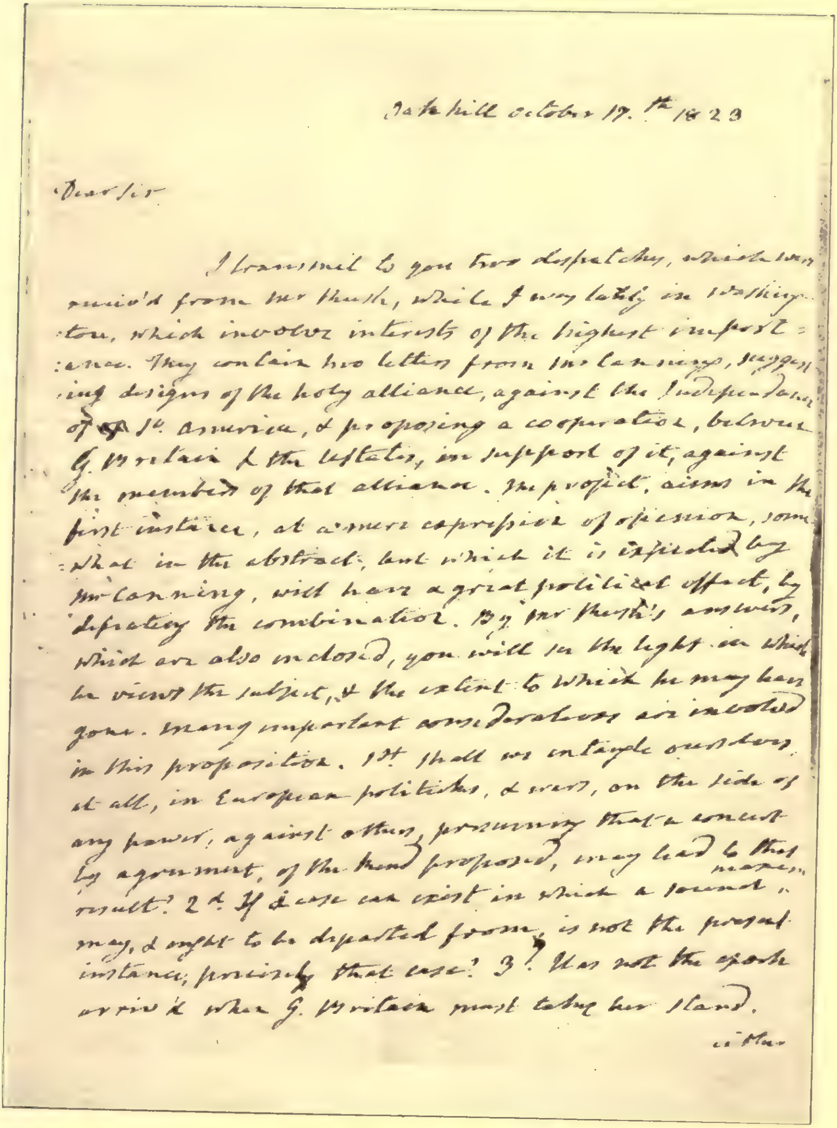
In compliance with the act of the last session entitled "An act to abolish the United States trading establishments," agents were immediately appointed and instructed, under the direction of the Secretary of the Treasury, to close the business of the trading houses among the Indian tribes and to settle the accounts of the factors and subfactors engaged in that trade, and to execute in all other respects the injunctions of that act in the mode prescribed therein. A final report of their proceedings shall be communicated to Congress as soon as it is received.

It is with great regret I have to state that a serious malady has deprived us of many valuable citizens at Pensacola and checked the progress of some of those arrangements which are important to the Territory. This effect has been sensibly felt in respect to the Indians who inhabit that Territory, consisting of the remnants of several tribes who occupy the middle ground between St. Augustine and Pensacola, with extensive claims but undefined boundaries. Although peace is preserved with those Indians, yet their position and claims tend essentially to interrupt the intercourse between the eastern and western parts of the Territory, on which our inhabitants are principally settled. It is essential to the growth and prosperity of the Territory, as well as to the interests of the Union, that these Indians should be removed, by special compact with them, to some other position or concentrated within narrower limits where they are. With the limited means in the power of the Executive, instructions were given to the governor to accomplish this object so far as it might be practicable, which was prevented by the distressing malady referred to. To carry it fully into effect in either mode additional funds will be necessary, to the provision of which the powers of Congress alone are competent. With a view to such provision as may be deemed proper, the subject is submitted to your consideration, and in the interim further proceedings are suspended.

It appearing that so much of the act entitled "An act regulating the staff of the Army," which passed on the 14th April, 1818, as relates to the commissariat will expire in April next, and the practical operation of that department having evinced its great utility, the propriety of its renewal is submitted to your consideration.

The view which has been taken of the probable productiveness of the lead mines, connected with the importance of the material to the public defense, makes it expedient that they should be managed with peculiar care. It is therefore suggested whether it will not comport with the public interest to provide by law for the appointment of an agent skilled in mineralogy to superintend them, under the direction of the proper department.

It is understood that the Cumberland road, which was constructed at a great expense, has already suffered from the want of that regular superintendence and of those repairs which are indispensable to the preservation of such a work. This road is of incalculable advantage in facilitating the intercourse between the Western and the Atlantic States. Through it the whole country from the northern extremity of Lake Erie to the Mississippi, and from all the waters which empty into each, finds an easy and direct communication to the seat of Government, and thence to the Atlantic. The facility which it affords to all military and commercial operations, and also to those of the Post-Office Department, can not be estimated too highly. This great work is likewise an ornament and an honor to the nation. Believing that a competent power to adopt and



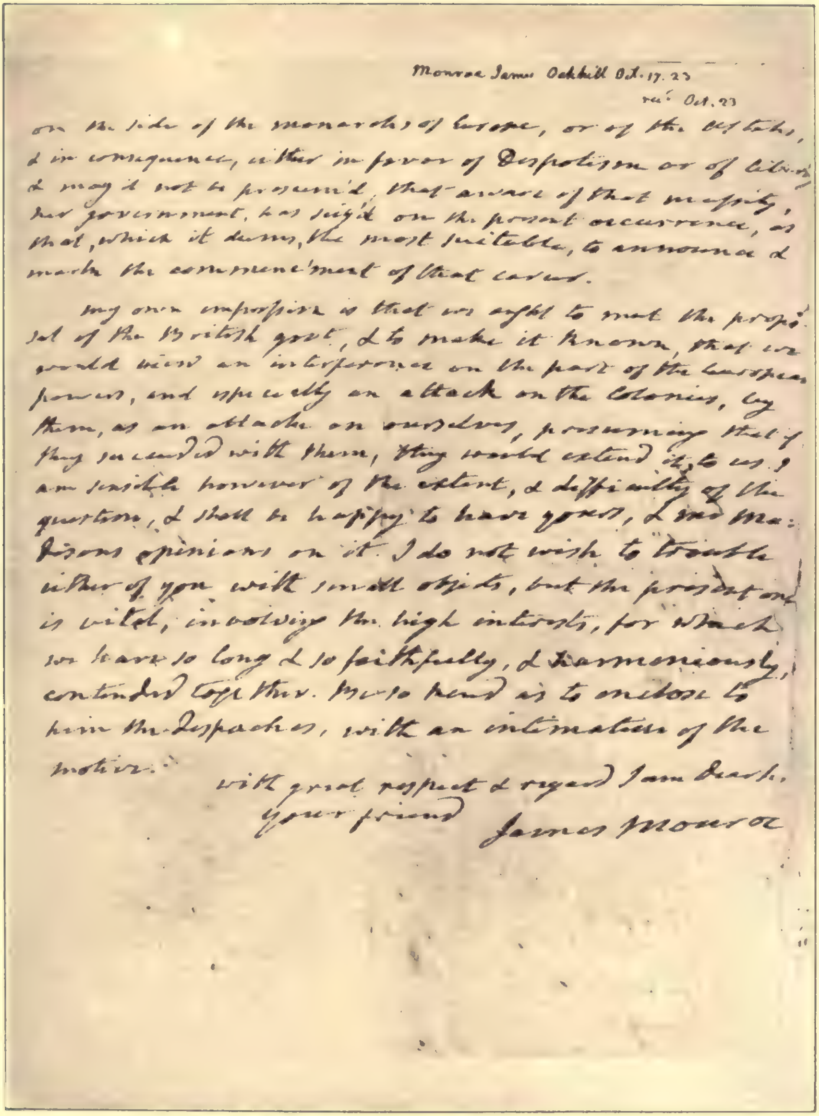
Oakhill October 17th 1823

Dear Sir

I transmit to you two despatches, which were receiv'd from Mr Rush, while I was lately in Washington, which involve interests of the highest importance. They contain two letters from Mr Canning, suggesting designs of the holy alliance, against the Independence of ~~of~~ So. America, & proposing a cooperation, between G. Britain & the U States, in support of it, against the members of that alliance. The project, aims in the first instance, at a mere expression of opinion, somewhat in the abstract, but which it is expected by Mr Canning, will have a great political effect, by defeating the combination. By Mr Rush's answers, which are also inclosed, you will see the light in which he views the subject, & the extent to which he may have gone. Many important considerations are involved in this proposition. 1st Shall we entangle ourselves, at all, in European politicks, & wars, on the side of any power, against others, presuming that a concert by agreement, of the kind proposed, may lead to that result? 2d If a case can exist in which a sound maxim may, & ought to be departed from, is not the present instance, precisely that case? 3d Has not the epoch arriv'd when G. Britain must take her stand,

either

LETTER OF JAMES ROE TO A FRIEND, OUTLINING THE MONROE DOCTRINE.



Monroe James Oakhill Oct. 17. 23
rec'd Oct. 23

on the side of the monarchs of Europe, or of the US tates, & in consequence, either in favor of Despotism or of liberty & may it not be presum'd, that aware of that necessity, her government, has seiz'd on the present occurrence, as that, which it deems, the most suitable, to announce & mark the commenc'ment of that career.

My own impression is that we ought to meet the proposal of the British govt. & to make it known, that we would view an interference on the part of the European powers, and especially an attack on the Colonies, by them, as an attack on ourselves, presuming that if they succeeded with them, they would extend it to us. I am sensible however of the extent, & difficulty of the question, & shall be happy to have yours, & Mr Madisons opinions on it. I do not wish to trouble either of you with small objects, but the present one is vital, involving the high interests, for which we have so long & so faithfully, & harmoniously, contended together. Be so kind as to enclose to him the despatches, with an intimation of the motive.

with great respect & regard I am dear sir,
your friend James Monroe

INCEPTION OF THE MONROE DOCTRINE.

execute a system of internal improvement has not been granted to Congress, but that such a power, confined to great national purposes and with proper limitations, would be productive of eminent advantage to our Union, I have thought it advisable that an amendment of the Constitution to that effect should be recommended to the several States. A bill which assumed the right to adopt and execute such a system having been presented for my signature at the last session, I was compelled, from the view which I had taken of the powers of the General Government, to negative it, on which occasion I thought it proper to communicate the sentiments which I had formed, on mature consideration, on the whole subject. To that communication, in all the views in which the great interest to which it relates may be supposed to merit your attention, I have now to refer. Should Congress, however, deem it improper to recommend such an amendment, they have, according to my judgment, the right to keep the road in repair by providing for the superintendence of it and appropriating the money necessary for repairs. Surely if they had the right to appropriate money to make the road they have a right to appropriate it to preserve the road from ruin. From the exercise of this power no danger is to be apprehended. Under our happy system the people are the sole and exclusive fountain of power. Each government originates from them, and to them alone, each to its proper constituents, are they respectively and solely responsible for the faithful discharge of their duties within their constitutional limits; and that the people will confine their public agents of every station to the strict line of their constitutional duties there is no cause to doubt. Having, however, communicated my sentiments to Congress at the last session fully in the document to which I have referred, respecting the right of appropriation as distinct from the right of jurisdiction and sovereignty over the territory in question, I deem it improper to enlarge on the subject here.

From the best information that I have been able to obtain it appears that our manufactures, though depressed immediately after the peace, have considerably increased, and are still increasing, under the encouragement given them by the tariff of 1816 and by subsequent laws. Satisfied I am, whatever may be the abstract doctrine in favor of unrestricted commerce, provided all nations would concur in it and it was not liable to be interrupted by war, which has never occurred and can not be expected, that there are other strong reasons applicable to our situation and relations with other countries which impose on us the obligation to cherish and sustain our manufactures. Satisfied, however, I likewise am that the interest of every part of our Union, even of those most benefited by manufactures, requires that this subject should be touched with the greatest caution, and a critical knowledge of the effect to be produced by the slightest change. On full consideration of the subject in all its relations I am persuaded that a further augmentation may now be made of the duties on certain foreign articles in favor of our own and without affecting injuriously any other interest. For more precise details I refer you to the communications which were made to Congress during the last session.

So great was the amount of accounts for moneys advanced during the late war, in addition to others of a previous date which in the regular operations of the Government necessarily remained unsettled, that it required a considerable length of time for their adjustment. By a report from the First Comptroller of the Treasury it appears that on the 4th of March, 1817, the accounts then unsettled amounted to $103,068,876.41, of which, on the 30th of September of the present year, $93,175,396.56 had been settled, leaving on that day a balance unsettled of $9,893,479.85. That there have been drawn from the Treasury, in paying the public debt and sustaining the Government in all its operations and disbursements, since the 4th of March, 1817, $157,199,380.96, the accounts for which have been settled to the amount of $137,501,451.12, leaving a balance unsettled of $19,697,929.84. For precise details respecting each of these balances I refer to the report of the Comptroller and the documents which accompany it.

From this view it appears that our commercial differences with France and Great Britain have been placed in a train of amicable arrangement on conditions fair and honorable in both instances to each party; that our finances are in a very productive state, our revenue being at present fully competent to all the demands upon it; that our military force is well organized in all its branches and capable of rendering the most important service in case of emergency that its number will admit of; that due progress has been made, under existing appropriations, in the construction of fortifications and in the operations of the Ordnance Department; that due progress has in like manner been made in the construction of ships of war; that our Navy is in the best condition, felt and respected in every sea in which it is employed for the protection of our commerce; that our manufactures have augmented in amount and improved in quality; that great progress has been made in the settlement of accounts and in the recovery of the balances due by individuals, and that the utmost economy is secured and observed in every Department of the Administration.

Other objects will likewise claim your attention, because from the station which the United States hold as a member of the great community of nations they have rights to maintain, duties to perform, and dangers to encounter.

A strong hope was entertained that peace would ere this have been concluded between Spain and the independent governments south of the United States in this hemisphere. Long experience having evinced the competency of those governments to maintain the independence which they had declared, it was presumed that the considerations which induced their recognition by the United States would have had equal weight with other powers, and that Spain herself, yielding to those magnanimous feelings of which her history furnishes so many examples, would have terminated on that basis a controversy so unavailing and at the same time so destructive. We still cherish the hope that this result will not long be postponed.

Sustaining our neutral position and allowing to each party while the war continues equal rights, it is incumbent on the United States to claim of each with equal rigor the faithful observance of our rights according to the well-known law of nations. From each, therefore, a like cooperation is expected in the suppression of the piratical practice which has grown out of this war and of blockades of extensive coasts on both seas, which, considering the small force employed to sustain them, have not the slightest foundation to rest on.

Europe is still unsettled, and although the war long menaced between Russia and Turkey has not broken out, there is no certainty that the differences between those powers will be amicably adjusted. It is impossible to look to the oppressions of the country respecting which those differences arose without being deeply affected. The mention of Greece fills the mind with the most exalted sentiments and arouses in our bosoms the best feelings of which our nature is susceptible. Superior skill and refinement in the arts, heroic gallantry in action, disinterested patriotism, enthusiastic zeal and devotion in favor of public and personal liberty are associated with our recollections of ancient Greece. That such a country should have been overwhelmed and so long hidden, as it were, from the world under a gloomy despotism has been a cause of unceasing and deep regret to generous minds for ages past. It was natural, therefore, that the reappearance of those people in their original character, contending in favor of their liberties, should produce that great excitement and sympathy in their favor which have been so signally displayed throughout the United States. A strong hope is entertained that these people will recover their independence and resume their equal station among the nations of the earth.

A great effort has been made in Spain and Portugal to improve the condition of the people, and it must be very consoling to all benevolent minds to see the extraordinary moderation with which it has been conducted. That it may promote the happiness of both nations is the ardent wish of this whole people, to the expression of which we confine ourselves; for whatever may be the feelings or sentiments which every individual under our Government has a right to indulge and express, it is nevertheless a sacred maxim, equally with the Government and people, that the destiny of every independent nation in what relates to such improvements of right belongs and ought to be left exclusively to themselves.

Whether we reason from the late wars or from those menacing symptoms which now appear in Europe, it is manifest that if a convulsion should take place in any of those countries it will proceed from causes which have no existence and are utterly unknown in these States, in which there is but one order, that of the people, to whom the sovereignty exclusively belongs. Should war break out in any of those countries, who can foretell the extent to which it may be carried or the desolation which it may spread? Exempt as we are from these causes, our internal tranquillity is secure; and distant as we are from the troubled scene, and faithful to first principles in regard to other powers, we might reasonably presume that we should not be molested by them. This, however, ought not to be calculated on as certain. Unprovoked injuries are often inflicted, and even the peculiar felicity of our situation might with some be a cause for excitement and aggression. The history of the late wars in Europe furnishes a complete demonstration that no system of conduct, however correct in principle, can protect neutral powers from injury from any party; that a defenseless position and distinguished love of peace are the surest invitations to war, and that there is no way to avoid it other than by being always prepared and willing for just cause to meet it. If there be a people on earth whose more especial duty it is to be at all times prepared to defend the rights with which they are blessed, and to surpass all others in sustaining the necessary burthens, and in submitting to sacrifices to make such preparations, it is undoubtedly the people of these States.

When we see that a civil war of the most frightful character rages from the Adriatic to the Black Sea; that strong symptoms of war appear in other parts, proceeding from causes which, should it break out, may become general and be of long duration; that the war still continues between Spain and the independent governments, her late Provinces, in this hemisphere; that it is likewise menaced between Portugal and Brazil, in consequence of the attempt of the latter to dismember itself from the former, and that a system of piracy of great extent is maintained in the neighboring seas, which will require equal vigilance and decision to suppress it, the reasons for sustaining the attitude which we now hold and for pushing forward all our measures of defense with the utmost vigor appear to me to acquire new force.

The United States owe to the world a great example, and, by means thereof, to the cause of liberty and humanity a generous support. They have so far succeeded to the satisfaction of the virtuous and enlightened of every country. There is no reason to doubt that their whole movement will be regulated by a sacred regard to principle, all our institutions being founded on that basis. The ability to support our own cause under any trial to which it may be exposed is the great point on which the public solicitude rests. It has been often charged against free governments that they have neither the foresight nor the virtue to provide at the proper season for great emergencies; that their course is improvident and expensive; that war will always find them unprepared, and, whatever may be its calamities, that its terrible warnings will be disregarded and forgotten as soon as peace returns. I have full confidence that this charge so far as relates to the United States will be shewn to be utterly destitute of truth.

JAMES MONROE.

SPECIAL MESSAGES.

DECEMBER 4, 1822.

To the Senate of the United States:

The convention between the United States and France, concluded at Washington on the 24th day of June last, is now transmitted to the Senate for their advice and consent with regard to its ratification, together with the documents relating to the negotiation, which may serve to elucidate the deliberations of the Senate concerning its objects and the purposes to which it was adapted.

JAMES MONROE.

DECEMBER 4, 1822.

To the Senate of the United States:

I transmit herewith to the Senate, for their constitutional consideration and decision thereon, a convention between the United States and Great Britain, concluded at St. Petersburg on the 12th day of July last, under the mediation of His Imperial Majesty of all the Russias, together with the documents appertaining thereto, and which may elucidate the motives for its negotiation and the objects for the accomplishment of which it is intended.

JAMES MONROE.

WASHINGTON, *December 6, 1822.*

To the House of Representatives of the United States:

In compliance with the resolution of the House of Representatives of the 7th of May last, requiring that a plan for the peace establishment of the Navy of the United States and also of the Marine Corps should be communicated to that House at the present session, I transmit a report of the Secretary of the Navy, containing a plan which has been prepared for the proposed establishment.

JAMES MONROE.

WASHINGTON, *December 7, 1822.*

To the Senate of the United States:

In compliance with the resolution of the Senate of the 8th of May last, requesting "information relative to the copper mines on the southern shore of Lake Superior, their number, value, and position, the names of the Indian tribes who claim them, the practicability of extinguishing their titles, and the probable advantages which may result to the Republic from the acquisition and working these mines," I herewith transmit a report from the Secretary of War, which comprises the information desired in the resolution referred to.

JAMES MONROE.

WASHINGTON, *December 9, 1822.*

To the Senate of the United States:

Recent information of the multiplied outrages and depredations which have been committed on our seamen and commerce by the pirates in the West Indies and Gulf of Mexico, exemplified by the death of a very meritorious officer, seems to call for some prompt and decisive measures on the part of the Government. All the public vessels adapted to that service which can be spared from other indispensable duties are already employed in it; but from the knowledge which has been acquired of the places from whence these outlaws issue and to which they escape from danger it appears that it will require a particular kind of force, capable of pursuing them into the shallow waters to which they retire, effectually to suppress them. I submit to the consideration of the Senate the propriety of organizing such force for that important object.

JAMES MONROE.

[The same message, dated December 6, 1822, was sent to the House of Representatives.]

WASHINGTON, *December 9, 1822.*

To the Senate of the United States:

In compliance with a resolution of the Senate of the 22d of February last, "requesting the President of the United States to cause to be collected and communicated to the Senate at the commencement of the next session of Congress the best information which he may be able to obtain relative to certain Christian Indians and the lands intended for their benefit on the Muskingum, in the State of Ohio, granted under an act of Congress of June 1, 1796, to the Society of the United Brethren for Propagating the Gospel among the Heathen, showing as correctly as possible the advance or decline of said Indians in numbers, morals, and intellectual endowments; whether the lands have inured to their sole benefit, and, if not, to whom, in whole or in part, have such benefits accrued," I transmit a report from the Secretary of War with the accompanying documents.

JAMES MONROE.

WASHINGTON, *January 3, 1823.*

To the Senate of the United States:

In compliance with the three resolutions of the Senate of the 5th April, 1822, requesting the President of the United States to communicate in detail the expenses of building each vessel of war authorized by the act of the 2d of January, 1813, and its supplements, and also the names, number, grade, etc., of the officers and men employed at each navy-yard and naval station during the two years immediately preceding the 1st of January, 1822, I herewith transmit a report from the Secretary of the Navy, with the accompanying documents, which contains the desired information.

JAMES MONROE.

WASHINGTON, *January 3, 1823*.

To the House of Representatives of the United States:

In compliance with the resolutions of the House of Representatives of the 8th of January, 7th May, and 17th December, 1822, requesting the President of the United States to cause to be laid before that House a detailed statement of the current expenses of the Ordnance Department for the years 1817, 1818, 1819, 1820, and 1821, and as much as can be shewn for the year 1822, and also the number and local position of each of the armories, arsenals, and magazines of the United States, the total expense of constructing and repairing the same up to the year 1821; the number of cannon and other arms annually made at each, and the expenses of each armory and arsenal for each year from 1816 to 1821, inclusive, I herewith transmit a report from the Secretary of War, accompanied by such documents as will be found to contain the desired information.

JAMES MONROE.

WASHINGTON, *January 3, 1823*.

To the House of Representatives of the United States:

In compliance with the resolution of the House of Representatives of the United States of the 19th of December, 1822, requesting the President of the United States to cause to be laid before that House the several laws which have been made by the governor and legislative council of Florida, together with such information as may be in the possession of the Executive, I herewith transmit a report from the Secretary of State, with the accompanying documents, which contains the information desired.

JAMES MONROE.

WASHINGTON, *January 6, 1823*.

To the House of Representatives of the United States:

In compliance with the resolution of the House of Representatives of the 19th of December last, requesting the President of the United States to communicate to the House the progress which has been made in the execution of the act of the last session entitled "An act to abolish the Indian trading establishments," with a report from the factories, respectively, as the same were made to him, I transmit a report from the Secretary of the Treasury, with the documents referred to by that resolution. In further execution of the act of the last session treaties have since been made with the Osage and Sac Indians by which those tribes have severally relinquished to the United States their right under preceding treaties to the maintenance of a factory within each, respectively.

JAMES MONROE.

JANUARY 6, 1823.

To the Senate:

I transmit to the Senate, for their advice and consent as to the ratification, treaties which have been made with the Osage and Sac tribes of Indians in execution of the provision contained in the act of the last session entitled "An act to abolish the Indian trading establishments."

JAMES MONROE.

WASHINGTON, *January 10, 1823.*

To the Senate of the United States:

In compliance with a resolution of the Senate requesting the President of the United States "to cause to be laid before the Senate the number of arms required annually to supply the militia of the West according to acts of Congress; the probable number necessary to be placed in military deposits located or to be located on the Western waters; the cost of transportation of arms to the Western States and deposits; the probable cost of manufacturing arms in the West; the probable cost of erecting at this time on the Western waters such an armory as that at Harpers Ferry or at Springfield, and such other information as he may deem important to establish the expediency of erecting on the Western waters a national armory," I herewith transmit a report from the Secretary of War containing the desired information.

JAMES MONROE.

WASHINGTON, *January 16, 1823.*

The VICE-PRESIDENT OF THE UNITED STATES AND PRESIDENT OF THE SENATE:

The convention concluded and signed at St. Petersburg on the 21st of July last under the mediation of His Imperial Majesty the Emperor of all the Russias having been ratified by the three powers parties thereto, and the ratifications of the same having been duly exchanged, copies of it are now communicated to Congress, to the end that the measures for carrying it on the part of the United States into execution may obtain the cooperation of the Legislature necessary to the accomplishment of some of its provisions. A translation is subjoined of three explanatory documents, in the French language, referred to in the fourth article of the convention and annexed to it. The agreement executed at the exchange of the ratifications is likewise communicated.

JAMES MONROE.

[The same message was addressed to the Speaker of the House of Representatives.]

JANUARY 22, 1823.

To the Senate of the United States:

In compliance with a resolution of December 12, 1822, requesting that the President would cause to be laid before the Senate a statement exhibiting the amount in aggregate of the goods, wares, and merchandise exported from the United States to France, and imported from thence, in each year from and after the year 1814 to the year 1820, discriminating in the reports between the articles of the growth, produce, or manufacture of the United States and those of foreign countries, and also stating the national character of the vessels in which such exports and imports have been made, I transmit a report from the Secretary of the Treasury, which contains the information desired.

JAMES MONROE.

JANUARY 22, 1823.

To the Senate and House of Representatives:

In carrying fully into effect the intention of Congress in making an appropriation of $5,000 by the act of the 14th April, 1820, for the survey of the Ohio and the Mississippi rivers from the Rapids of the Ohio at Louisville to the Balize, for the purpose of facilitating and ascertaining the most practicable route of improving the navigation of these rivers, orders were given through the proper department to the Board of Engineers to examine and survey the said rivers with reference to those objects, and to report their opinion thereon, which they have done, and which report I now communicate for the information of Congress.

JAMES MONROE.

WASHINGTON, *January 25, 1823.*

To the House of Representatives:

I transmit herewith to the House of Representatives a report from the Secretary of State, together with the documents which contain the information requested by the resolution of the House of the 19th of December last, relating to the establishment at the mouth of Columbia River.

JAMES MONROE.

To the Senate and House of Representatives of the United States:

I transmit herewith a letter from the Secretary of the Navy, containing one from Captain John Rodgers, president of the Naval Board, accompanied by a description of the inclined plane, dock, and fixtures for hauling up ships, and an estimate of the cost and materials and workmanship necessary for the completion of a dock and wharves, proposed to be connected with the inclined plane constructed at the navy-yard, Washington, and recommend the same to the attentive consideration of Congress.

It is confidently believed that this invention combines advantages so highly useful as to justify the appropriation required.

JAMES MONROE.

JANUARY 28, 1823.

FEBRUARY 3, 1823.

To the Senate of the United States:

Having lately received a memorial from the legislative council of the Territory of Florida on subjects very interesting to the inhabitants of the Territory and also to the United States, which require legislative provision, I transmit the same to Congress and recommend it to their consideration.

JAMES MONROE.

[The same message was addressed to the Speaker of the House of Representatives.]

WASHINGTON, *February 3, 1823.*

To the Senate and House of Representatives of the United States:

I transmit herewith a resolution of the legislature, with an extract of a letter from the governor, of Georgia, and a memorial of the legislature of Missouri, relative to the extinguishment of the Indian title to lands within the limits of these States, respectively. Believing the present time to be propitious for holding treaties for the attainment of cessions of land from the Indians within those States, I submit the subject to the consideration of Congress, that adequate appropriations for such treaties may be made should Congress deem it expedient.

JAMES MONROE.

FEBRUARY 4, 1823.

To the House of Representatives of the United States:

In compliance with the resolution of the House of Representatives of the 12th of December last, requesting the President "to communicate to the House such information as he might possess with regard to any expedition prepared in the United States and having sailed from thence within the year 1822 against the territory or dependency of any power in amity with the United States, and to inform the House whether any measures have been taken to bring to condign punishment persons who have been concerned in such expedition contrary to the laws," I transmit to the House reports from the Secretaries of State and of the Treasury, with the documents mentioned in each. Those documents contain all the information in possession of the Executive relating to the subject of the resolution.

That a force of a very limited extent has been equipped in the ports of the United States and sailed from thence for the purpose described in the resolution is manifest from the documents now communicated. The reports from the collectors of Philadelphia and New York will shew in what manner this equipment escaped their notice.

The first information of this equipment was received from St. Bartholomews, the place of its rendezvous. This was confirmed afterwards from Curracoa with an account of its failure. Should any of those persons return within the jurisdiction of the United States care will be taken that the laws applicable to such offenses are duly enforced against them. Whether any aid was afforded by others to the parties engaged in this unlawful and contemptible adventure in the ports in which it was planned, inconsistent with ordinary commercial transactions and contrary to the laws of the United States, will be referred to the Attorney-General, on whose advice any measures in regard to them will depend.

JAMES MONROE.

FEBRUARY 6, 1823.

To the House of Representatives:

In compliance with a resolution of the House of Representatives of the 28th of January last, requesting information "whether the treaty concluded with the Choctaw Nation of Indians on the 18th of October, 1820, has been executed so far as respects the cession of certain lands to said nation west of the river Mississippi, and if possession has been given of the lands ceded to them; if not, that he assign the reasons which prevented the immediate execution of the stipulations of said treaty, and whether the difficulties have diminished or increased by the delay in its execution," I communicate a report from the Secretary of War, with the documents referred to in it.

JAMES MONROE.

FEBRUARY 10, 1823.

To the Senate of the United States:

In compliance with a resolution of the Senate of February 3, requesting a statement of the number and size of cannon, mortars, and howitzers necessary for the armament of the fortifications already built and intended to be built, with an estimate of the sum necessary for their construction, I transmit a report from the Secretary of War, prepared in execution of instructions given him to that effect.

JAMES MONROE.

WASHINGTON, *February 13, 1823.*

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives of 22d January last, requesting the communication to the House of all the correspondence between the Governments of the United States and Great Britain relating to the negotiation of the convention of the 20th October, 1818, which may not be inconsistent with the public interest, I transmit herewith to the House a report from the Secretary of State, together with the papers requested by the resolution of the House.

JAMES MONROE.

FEBRUARY 14, 1823.

To the Senate of the United States:

In compliance with a resolution of the Senate of the 11th of this month, requesting the President to cause to be communicated to the Senate an estimate of the amount of land in the State of Georgia to which the Indian title has been extinguished by the United States since the cession of a portion of the territory of Georgia to the United States, with a statement of the cost of such extinguishment, and also an estimate of the amount of land within the said State to which the Indian title still remains to be extinguished, and by what tribes claimed, I transmit a report from the Secretary of War, which contains the information desired.

JAMES MONROE.

FEBRUARY 17, 1823.

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives of the 17th of December, requesting the President to communicate to the House a statement of the amount expended for the current expenses of the Ordnance Department during the years 1817, 1818, 1819, 1820, and 1821, and as much as can be shewn for the year 1822, with the items for which the money was expended, the place where and the persons to whom paid, what quantity of timber has been procured for gun carriages and caissons, its cost annually, and where deposited; the quantity of ordnance of every kind that has been procured during those years or paid for, and the whole amount of arms of every description now belonging to the

United States; the sum expended in the purchase of sites for arsenals since the peace, the cost of the buildings erected thereon, and whether all those arsenals are necessary for the service of the United States, I transmit a report from the Secretary of War, with the documents mentioned therein, which contains the information desired.

JAMES MONROE.

WASHINGTON, *February 18, 1823*.

The VICE-PRESIDENT OF THE UNITED STATES AND PRESIDENT OF THE SENATE:

The convention of navigation and commerce between the United States of America and His Majesty the King of France and Navarre, concluded and signed at Washington on the 24th of June, 1822, with the first separate article thereto annexed, having been ratified by the two parties, and the ratifications of the same having been duly exchanged, copies of it and of the separate article referred to are now communicated to the two Houses of Congress, to the end that the necessary measures for carrying it into execution on the part of the United States may be adopted by the Legislature.

JAMES MONROE.

[The same message was sent to the House of Representatives.]

FEBRUARY 19, 1823.

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives of the 11th of December last, I transmit to the House a report from the Secretary of the Treasury, containing the information requested, of the amount of moneys advanced to agents, subagents, contractors, subcontractors, or individuals since the 1st of January, 1817, which have not been accounted for on settlement, and of the loss sustained in each case, the sureties taken, and the names of the sureties.

JAMES MONROE.

WASHINGTON, *February 19, 1823*.

To the House of Representatives of the United States:

I transmit to the House of Representatives, in pursuance of a resolution of that House of the 31st of last month, a report from the Secretary of State, relative to the commissioners appointed for the purpose of ascertaining the titles and claims to land in Florida.

JAMES MONROE.

FEBRUARY 19, 1823.

To the House of Representatives of the United States:

I transmit to the House of Representatives an additional report from the Secretary of the Treasury, with the documents referred to therein, containing further information of the proceedings in execution of the law of the last session respecting the trade with the Indian tribes, called for by the resolution of the 19th of December last.

JAMES MONROE.

FEBRUARY 22, 1823.

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives of the 11th of this month, requesting information whether any prize agents have neglected to render an account of their agency and to pay over the money in their hands, the names of those who have failed, the sums unaccounted for, and whether any of those thus failing are in the employ of the Government, and their compensation has been in consequence suspended, I transmit a report from the Secretary of the Navy, with the documents referred to by him.

JAMES MONROE.

FEBRUARY 25, 1823.

To the Congress of the United States:

I transmit to Congress the general returns of the militia of the several States and Territories for the year 1822, with an account of the arms, accouterments, ammunition, ordnance, etc., belonging to each as far as the returns have been received, in compliance with the provision of the act of 1803.

JAMES MONROE.

FEBRUARY 25, 1823.

To the Senate of the United States:

By a resolution of the 27th of December last the President of the United States was requested to communicate to the Senate such information as he might possess respecting the political state of the island of St. Domingo; whether the Government thereof was claimed by any European nation, what our commercial relations with the Government of the island were, and whether any further commercial relations with that Government would be consistent with the interest and safety of the United States.

From the import of the resolution it is inferred that the Senate were fully aware of the delicate and interesting nature of the subject embraced by it in all its branches. The call supposes something peculiar in the nature of the Government of that island and in the character of its population, to which attention is due. Impressed always with an anxious desire to meet every call of either House for information, I most willingly comply in this instance and with a view to the particular circumstances alluded to.

In adverting to the political state of St. Domingo I have to observe that the whole island is now united under one Government, under a constitution which retains the sovereignty in the hands of the people of color, and with provisions which prohibit the employment in the Government of all white persons who have emigrated there since 1816, or who may hereafter emigrate there, and which prohibit also the acquisition by such persons of the right of citizenship or to real estate in the island. In the exercise of this sovereignty the Government has not been molested by any European power. No invasion of the island has been made or attempted by any power. It is, however, understood that the relations between the Government of France and the island have not been adjusted, that its independence has not been recognized by France, nor has peace been formally established between the parties.

The establishment of a Government of people of color in the island on the principles above stated evinces distinctly the idea of a separate interest and a distrust of other nations. Had that jealousy been confined to the inhabitants of the parent country it would have been less an object of attention; but by extending it to the inhabitants of other countries with whom no difference ever existed the policy assumes a character which does not admit of a like explanation. To what extent that spirit may be indulged or to what purposes applied our experience has yet been too limited to enable us to form a just estimate. These are inquiries more peculiarly interesting to the neighboring islands. They nevertheless deserve the attention of the United States.

Between the United States and the island a commercial intercourse exists, and it will continue to be the object of this Government to promote it. Our commerce there has been subjected to higher duties than have been imposed on like articles from some other nations. It has nevertheless been extensive, proceeding from the wants of the respective parties and the enterprise of our citizens. Of this discrimination to our injury we had a right to complain and have complained. It is expected that our commercial intercourse with the island will be placed on the footing of the most favored nation. No preference is sought in our favor, nor ought any to be given to others. Regarding the high interest of our happy Union and looking to every circumstance which may by any possibility affect the tranquillity of any part, however remotely, and guarding against such injury by suitable precautions, it is the duty of this Government to promote by all the means in its power and by a fair and honorable policy the best interest of every other part, and thereby of the whole. Feeling profoundly the force of this obligation, I shall continue to exert with unwearied zeal my best faculties to give it effect.

JAMES MONROE.

WASHINGTON, *February 26, 1823.*

To the House of Representatives of the United States:

I transmit to the House of Representatives, in pursuance of a resolution of that House of the 30th January last, a report from the Secretary of State, containing the information required in relation to the transactions of the commissioners under the sixth and seventh articles of the treaty of Ghent, and also as to the measures which have been taken under the fourth article of the treaty with Spain of the 22d of February, 1819, for fixing the boundary line described in the third article of the last-mentioned treaty.

JAMES MONROE.

WASHINGTON, *February 27, 1823.*

To the House of Representatives:

I transmit to the House of Representatives a report from the Secretary of State, made in pursuance of their resolution of the 21st of January last, requesting the President of the United States to cause to be arranged and laid before that House a digest shewing such changes in the commercial regulations of the different foreign countries with which the United States have intercourse as shall have been adopted and come to the knowledge of the Executive subsequently to the formation of the digest communicated to the Senate on the 7th December, 1819.

JAMES MONROE.

WASHINGTON, *February 28, 1823.*

To the House of Representatives of the United States:

I transmit to the House of Representatives a report from the Secretary of State, with copies of sundry papers which should have been included among those which accompanied my message of the 13th instant, being part of the correspondence with Great Britain relating to the negotiation of the convention of 20th of October, 1818, but which were accidentally omitted from the papers communicated to the House with that message.

JAMES MONROE.

WASHINGTON, *February 28, 1823.*

To the House of Representatives:

In compliance with a resolution of the House of Representatives of the 24th of January, requesting the President to communicate to the House the number of persons and the amount due from each whose compensation has been withheld or suspended, in pursuance of the law prohibiting payments to persons in arrears to the United States; whether the amount withheld has been applied in all cases to the extinguishment of their debts to the Government; whether the said laws have been enforced in all cases against securities who are liable for the payment of any arrears due; whether any disbursing officer, within the knowledge of the President, has given conclusive evidence of his insolvency, and, if so, whether he is still retained in the service of the United States, I transmit to the House a report from the Secretary of the Treasury, with the documents mentioned therein.

The report has been confined to the operations of the law. Respecting the circumstances of individuals in their transactions without the sphere of their public duties I have no means of information other than those which are common to all.

JAMES MONROE.

WASHINGTON, *March 1, 1823.*

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives of this day, requesting information of the measures taken with regard to the illegal blockade of the ports of the Spanish Main, and to depredations of privateers fitted out from Porto Rico and other Spanish islands on the commerce of the United States, I transmit to the House a report from the Secretary of State containing the information required by the resolution.

JAMES MONROE.

SEVENTH ANNUAL MESSAGE.

WASHINGTON, *December 2, 1823.*

Fellow-Citizens of the Senate and House of Representatives:

Many important subjects will claim your attention during the present session, of which I shall endeavor to give, in aid of your deliberations, a just idea in this communication. I undertake this duty with diffidence, from the vast extent of the interests on which I have to treat and of their great importance to every portion of our Union. I enter on it with zeal from a thorough conviction that there never was a period since the establishment of our Revolution when, regarding the condition of the civilized world and its bearing on us, there was greater necessity for devotion in the public servants to their respective duties, or for virtue, patriotism, and union in our constituents.

Meeting in you a new Congress, I deem it proper to present this view of public affairs in greater detail than might otherwise be necessary. I do it, however, with peculiar satisfaction, from a knowledge that in this respect I shall comply more fully with the sound principles of our

Government. The people being with us exclusively the sovereign, it is indispensable that full information be laid before them on all important subjects, to enable them to exercise that high power with complete effect. If kept in the dark, they must be incompetent to it. We are all liable to error, and those who are engaged in the management of public affairs are more subject to excitement and to be led astray by their particular interests and passions than the great body of our constituents, who, living at home in the pursuit of their ordinary avocations, are calm but deeply interested spectators of events and of the conduct of those who are parties to them. To the people every department of the Government and every individual in each are responsible, and the more full their information the better they can judge of the wisdom of the policy pursued and of the conduct of each in regard to it. From their dispassionate judgment much aid may always be obtained, while their approbation will form the greatest incentive and most gratifying reward for virtuous actions, and the dread of their censure the best security against the abuse of their confidence. Their interests in all vital questions are the same, and the bond, by sentiment as well as by interest, will be proportionably strengthened as they are better informed of the real state of public affairs, especially in difficult conjunctures. It is by such knowledge that local prejudices and jealousies are surmounted, and that a national policy, extending its fostering care and protection to all the great interests of our Union, is formed and steadily adhered to.

A precise knowledge of our relations with foreign powers as respects our negotiations and transactions with each is thought to be particularly necessary. Equally necessary is it that we should form a just estimate of our resources, revenue, and progress in every kind of improvement connected with the national prosperity and public defense. It is by rendering justice to other nations that we may expect it from them. It is by our ability to resent injuries and redress wrongs that we may avoid them.

The commissioners under the fifth article of the treaty of Ghent, having disagreed in their opinions respecting that portion of the boundary between the Territories of the United States and of Great Britain the establishment of which had been submitted to them, have made their respective reports in compliance with that article, that the same might be referred to the decision of a friendly power. It being manifest, however, that it would be difficult, if not impossible, for any power to perform that office without great delay and much inconvenience to itself, a proposal has been made by this Government, and acceded to by that of Great Britain, to endeavor to establish that boundary by amicable negotiation. It appearing from long experience that no satisfactory arrangement could be formed of the commercial intercourse between the United States and the British colonies in this hemisphere by legislative acts while each party pursued its own course without agreement or concert with the other, a proposal has been made to the British Government to regulate this commerce by treaty, as it has been to arrange in like manner the just claim of the citizens of the United States inhabiting the States and Territories bordering on the lakes and rivers which empty into the St. Lawrence to the navigation of that river to the ocean. For these and other objects of high importance to the interests of both parties a negotiation has been opened with the British Government which it is hoped will have a satisfactory result.

The commissioners under the sixth and seventh articles of the treaty of Ghent having successfully closed their labors in relation to the sixth, have proceeded to the discharge of those relating to the seventh. Their progress in the extensive survey required for the performance of their duties justifies the presumption that it will be completed in the ensuing year.

The negotiation which had been long depending with the French Government on several important subjects, and particularly for a just indemnity for losses sustained in the late wars by the citizens of the United States under unjustifiable seizures and confiscations of their property, has not as yet had the desired effect. As this claim rests on the same principle with others which have been admitted by the French Government, it is not perceived on what just ground it can be rejected. A minister will be immediately appointed to proceed to France and resume the negotiation on this and other subjects which may arise between the two nations.

At the proposal of the Russian Imperial Government, made through the minister of the Emperor residing here, a full power and instructions have been transmitted to the minister of the United States at St. Petersburg to arrange by amicable negotiation the respective rights and interests of the two nations on the northwest coast of this continent. A similar proposal had been made by His Imperial Majesty to the Government of Great Britain, which has likewise been acceded to. The Government of the United States has been desirous by this friendly proceeding of manifesting the great value which they have invariably attached to the friendship of the Emperor and their solicitude to cultivate the best understanding with his Government. In the discussions to which this interest has given rise and in the arrangements by which they may terminate the occasion has been judged proper for asserting, as a principle in which the rights and interests of the United States are involved, that the American continents, by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonization by any European powers.

Since the close of the last session of Congress the commissioners and arbitrators for ascertaining and determining the amount of indemnification which may be due to citizens of the United States under the decision of His Imperial Majesty the Emperor of Russia, in conformity to the convention concluded at St. Petersburg on the 12th of July, 1822, have assembled in this city, and organized themselves as a board for the performance of the duties assigned to them by that treaty. The commission constituted under the eleventh article of the treaty of the 22d of February, 1819, between the United States and Spain is also in session here, and as the term of three years limited by the treaty for the execution of the trust will expire before the period of the next regular meeting of Congress, the attention of the Legislature will be drawn to the measures which may be necessary to accomplish the objects for which the commission was instituted.

In compliance with a resolution of the House of Representatives adopted at their last session, instructions have been given to all the ministers of the United States accredited to the powers of Europe and America to propose the proscription of the African slave trade by classing it under the denomination, and inflicting on its perpetrators the punishment, of piracy. Should this proposal be acceded to, it is not doubted that this odious and criminal practice will be promptly and entirely suppressed. It is earnestly hoped that it will be acceded to, from the firm belief that it is the most effectual expedient that can be adopted for the purpose.

At the commencement of the recent war between France and Spain it was declared by the French Government that it would grant no commissions to privateers, and that neither the commerce of Spain herself nor of neutral nations should be molested by the naval force of France, except in the breach of a lawful blockade. This declaration, which appears to have been faithfully carried into effect, concurring with principles proclaimed and cherished by the United States from the first establishment of their independence, suggested the hope that the time had arrived when the proposal for adopting it as a permanent and invariable rule in all future maritime wars might meet the favorable consideration of the great European powers. Instructions have accordingly been given to our ministers with France, Russia, and Great Britain to make those proposals to their respective Governments, and when the friends of humanity reflect on the essential amelioration to the condition of the human race which would result from the abolition of private war on the sea and on the great facility by which it might be accomplished, requiring only the consent of a few sovereigns, an earnest hope is indulged that these overtures will meet with an attention animated by the spirit in which they were made, and that they will ultimately be successful.

The ministers who were appointed to the Republics of Colombia and Buenos Ayres during the last session of Congress proceeded shortly afterwards to their destinations. Of their arrival there official intelligence has not yet been received. The minister appointed to the Republic of Chile will sail in a few days. An early appointment will also be made to Mexico. A minister has been received from Colombia, and the other Governments have been informed that ministers, or diplomatic agents of inferior grade, would be received from each, accordingly as they might prefer the one or the other.

The minister appointed to Spain proceeded soon after his appointment for Cadiz, the residence of the Sovereign to whom he was accredited. In approaching that port the frigate which conveyed him was warned off by the commander of the French squadron by which it was blockaded and not permitted to enter, although apprised by the captain of the frigate of the public character of the person whom he had on board, the landing of whom was the sole object of his proposed entry. This act, being considered an infringement of the rights of ambassadors and of nations, will form a just cause of complaint to the Government of France against the officer by whom it was committed.

The actual condition of the public finances more than realizes the favorable anticipations that were entertained of it at the opening of the last session of Congress. On the 1st of January there was a balance in the Treasury of $4,237,427.55. From that time to the 30th September the receipts amounted to upward of $16,100,000, and the expenditures to $11,400,000. During the fourth quarter of the year it is estimated that the receipts will at least equal the expenditures, and that there will remain in the Treasury on the 1st day of January next a surplus of nearly $9,000,000.

On the 1st of January, 1825, a large amount of the war debt and a part of the Revolutionary debt become redeemable. Additional portions of the former will continue to become redeemable annually until the year 1835. It is believed, however, that if the United States remain at peace the whole of that debt may be redeemed by the ordinary revenue of those years during that period under the provision of the act of March 3, 1817, creating the sinking fund, and in that case the only part of the debt that will remain after the year 1835 will be the $7,000,000 of 5 per cent stock subscribed to the Bank of the United States, and the 3 per cent Revolutionary debt, amounting to $13,296,099.06, both of which are redeemable at the pleasure of the Government.

The state of the Army in its organization and discipline has been gradually improving for several years, and has now attained a high degree of perfection. The military disbursements have been regularly made and the accounts regularly and promptly rendered for settlement. The supplies of various descriptions have been of good quality, and regularly issued at all of the posts. A system of economy and accountability has been introduced into every branch of the service which admits of little additional improvement. This desirable state has been attained by the act reorganizing the staff of the Army, passed on the 14th of April, 1818.

The moneys appropriated for fortifications have been regularly and economically applied, and all the works advanced as rapidly as the amount appropriated would admit. Three important works will be completed in the course of this year—that is, Fort Washington, Fort Delaware, and the fort at the Rigolets, in Louisiana.

The Board of Engineers and the Topographical Corps have been in constant and active service in surveying the coast and projecting the works necessary for its defense.

The Military Academy has attained a degree of perfection in its discipline and instruction equal, as is believed, to any institution of its kind in any country.

The money appropriated for the use of the Ordnance Department has been regularly and economically applied. The fabrication of arms at the national armories and by contract with the Department has been gradually improving in quality and cheapness. It is believed that their quality is now such as to admit of but little improvement.

The completion of the fortifications renders it necessary that there should be a suitable appropriation for the purpose of fabricating the cannon and carriages necessary for those works.

Under the appropriation of $5,000 for exploring the Western waters for the location of a site for a Western armory, a commission was constituted, consisting of Colonel McRee, Colonel Lee, and Captain Talcott, who have been engaged in exploring the country. They have not yet reported the result of their labors, but it is believed that they will be prepared to do it at an early part of the session of Congress.

During the month of June last General Ashley and his party, who were trading under a license from the Government, were attacked by the Ricarees while peaceably trading with the Indians at their request. Several of the party were killed and wounded and their property taken or destroyed.

Colonel Leavenworth, who commanded Fort Atkinson, at the Council Bluffs, the most western post, apprehending that the hostile spirit of the Ricarees would extend to other tribes in that quarter, and that thereby the lives of the traders on the Missouri and the peace of the frontier would be endangered, took immediate measures to check the evil.

With a detachment of the regiment stationed at the Bluffs he successfully attacked the Ricaree village, and it is hoped that such an impression has been made on them as well as on the other tribes on the Missouri as will prevent a recurrence of future hostility.

The report of the Secretary of War, which is herewith transmitted, will exhibit in greater detail the condition of the Department in its various branches, and the progress which has been made in its administration during the three first quarters of the year.

I transmit a return of the militia of the several States according to the last reports which have been made by the proper officers in each to the Department of War. By reference to this return it will be seen that it is not complete, although great exertions have been made to make it so. As the defense and even the liberties of the country must depend in times of imminent danger on the militia, it is of the highest importance that it be well organized, armed, and disciplined throughout the Union. The report of the Secretary of War shews the progress made during the three first quarters of the present year by the application of the fund appropriated for arming the militia. Much difficulty is found in distributing the arms according to the act of Congress providing for it from the failure of the proper departments in many of the States to make regular returns. The act of May 12, 1820, provides that the system of tactics and regulations of the various corps of the Regular Army shall be extended to the militia. This act has been very imperfectly executed from the want of uniformity in the organization of the militia, proceeding from the defects of the system itself, and especially in its application to that main arm of the public defense. It is thought that this important subject in all its branches merits the attention of Congress.

The report of the Secretary of the Navy, which is now communicated, furnishes an account of the administration of that Department for the three first quarters of the present year, with the progress made in augmenting the Navy, and the manner in which the vessels in commission have been employed.

The usual force has been maintained in the Mediterranean Sea, the Pacific Ocean, and along the Atlantic coast, and has afforded the necessary protection to our commerce in those seas.

In the West Indies and the Gulf of Mexico our naval force has been augmented by the addition of several small vessels provided for by the "act authorizing an additional naval force for the suppression of piracy," passed by Congress at their last session. That armament has been eminently successful in the accomplishment of its object. The piracies by which our commerce in the neighborhood of the island of Cuba had been afflicted have been repressed and the confidence of our merchants in a great measure restored.

The patriotic zeal and enterprise of Commodore Porter, to whom the command of the expedition was confided, has been fully seconded by the officers and men under his command. And in reflecting with high satisfaction on the honorable manner in which they have sustained the reputation of their country and its Navy, the sentiment is alloyed only by a concern that in the fulfillment of that arduous service the diseases incident to the season and to the climate in which it was discharged have deprived the nation of many useful lives, and among them of several officers of great promise.

In the month of August a very malignant fever made its appearance at Thompsons Island, which threatened the destruction of our station there. Many perished, and the commanding officer was severely attacked. Uncertain as to his fate and knowing that most of the medical officers had been rendered incapable of discharging their duties, it was thought expedient to send to that post an officer of rank and experience, with several skillful surgeons, to ascertain the origin of the fever and the probability of its recurrence there in future seasons; to furnish every assistance to those who were suffering, and, if practicable, to avoid the necessity of abandoning so important a station. Commodore Rodgers, with a promptitude which did him honor, cheerfully accepted that trust, and has discharged it in the manner anticipated from his skill and patriotism. Before his arrival Commodore Porter, with the greater part of the squadron, had removed from the island and returned to the United States in consequence of the prevailing sickness. Much useful information has, however, been obtained as to the state of the island and great relief afforded to those who had been necessarily left there.

Although our expedition, cooperating with an invigorated administration of the government of the island of Cuba, and with the corresponding active exertions of a British naval force in the same seas, have almost entirely destroyed the unlicensed piracies from that island, the success of our exertions has not been equally effectual to suppress the same crime, under other pretenses and colors, in the neighboring island of Porto Rico. They have been committed there under the abusive issue of Spanish commissions. At an early period of the present year remonstrances were made to the governor of that island, by an agent who was sent for the purpose, against those outrages on the peaceful commerce of the United States, of which many had occurred. That officer, professing his own want of authority to make satisfaction for our just complaints, answered only by a reference of them to the Government of Spain. The minister of the United States to that court was specially instructed to urge the necessity of the immediate and effectual interposition of that Government, directing restitution and indemnity for wrongs already committed and interdicting the repetition of them. The minister, as has been seen, was debarred access to the Spanish Government, and in the meantime several new cases of flagrant outrage have occurred, and citizens of the United States in the island of Porto Rico have suffered, and others been threatened with assassination for asserting their unquestionable rights even before the lawful tribunals of the country.

The usual orders have been given to all our public ships to seize American vessels engaged in the slave trade and bring them in for adjudication, and I have the gratification to state that not one so employed has been discovered, and there is good reason to believe that our flag is now seldom, if at all, disgraced by that traffic.

It is a source of great satisfaction that we are always enabled to recur to the conduct of our Navy with pride and commendation. As a means of national defense it enjoys the public confidence, and is steadily assuming additional importance. It is submitted whether a more efficient and equally economical organization of it might not in several respects be effected. It is supposed that higher grades than now exist by law would be useful. They would afford well-merited rewards to those who have long and faithfully served their country, present the best incentives to good conduct, and the best means of insuring a proper discipline; destroy the inequality in that respect between military and naval services, and relieve our officers from many inconveniences and mortifications which occur when our vessels meet those of other nations, ours being the only service in which such grades do not exist.

A report of the Postmaster-General, which accompanies this communication, will shew the present state of the Post-Office Department and its general operations for some years past.

There is established by law 88,600 miles of post-roads, on which the mail is now transported 85,700 miles, and contracts have been made for its transportation on all the established routes, with one or two exceptions. There are 5,240 post-offices in the Union, and as many postmasters. The gross amount of postage which accrued from the 1st July, 1822, to the 1st July, 1823, was $1,114,345.12. During the same period the expenditures of the Post-Office Department amounted to $1,169,885.51, and consisted of the following items, viz: Compensation to postmasters, $353,995.98; incidental expenses, $30,866.37; transportation of the mail, $784,600.08; payments into the Treasury, $423.08. On the 1st of July last there was due to the Department from postmasters $135,245.28; from *late* postmasters and contractors, $256,749.31; making a total amount of balances due to the Department of $391,994.59. These balances embrace all delinquencies of postmasters and contractors which have taken place since the organization of the Department. There was due by the Department to contractors on the 1st of July last $26,548.64.

The transportation of the mail within five years past has been greatly extended, and the expenditures of the Department proportionably increased. Although the postage which has accrued within the last three years has fallen short of the expenditures $262,821.46, it appears that collections have been made from the outstanding balances to meet the principal part of the current demands.

It is estimated that not more than $250,000 of the above balances can be collected, and that a considerable part of this sum can only be realized by a resort to legal process. Some improvement in the receipts for postage is expected. A prompt attention to the collection of moneys received by postmasters, it is believed, will enable the Department to continue its operations without aid from the Treasury, unless the expenditures shall be increased by the establishment of new mail routes.

A revision of some parts of the post-office law may be necessary; and it is submitted whether it would not be proper to provide for the appointment of postmasters, where the compensation exceeds a certain amount, by nomination to the Senate, as other officers of the General Government are appointed.

Having communicated my views to Congress at the commencement of the last session respecting the encouragement which ought to be given to our manufactures and the principle on which it should be founded, I have only to add that those views remain unchanged, and that the present state of those countries with which we have the most immediate political relations and greatest commercial intercourse tends to confirm them. Under this impression I recommend a review of the tariff for the purpose of affording such additional protection to those articles which we are prepared to manufacture, or which are more immediately connected with the defense and independence of the country.

The actual state of the public accounts furnishes additional evidence of the efficiency of the present system of accountability in relation to the public expenditure. Of the moneys drawn from the Treasury since the 4th March, 1817, the sum remaining unaccounted for on the 30th of September last is more than a million and a half of dollars less than on the 30th of September preceding; and during the same period a reduction of nearly a million of dollars has been made in the amount of the unsettled accounts for moneys advanced previously to the 4th of March, 1817. It will be obvious that in proportion as the mass of accounts of the latter description is diminished by settlement the difficulty of settling the residue is increased from the consideration that in many instances it can be obtained only by legal process. For more precise details on this subject I refer to a report from the First Comptroller of the Treasury.

The sum which was appropriated at the last session for the repairs of the Cumberland road has been applied with good effect to that object. A final report has not yet been received from the agent who was appointed to superintend it. As soon as it is received it shall be communicated to Congress.

Many patriotic and enlightened citizens who have made the subject an object of particular investigation have suggested an improvement of still greater importance. They are of opinion that the waters of the Chesapeake and Ohio may be connected together by one continued canal, and at an expense far short of the value and importance of the object to be obtained. If this could be accomplished it is impossible to calculate the beneficial consequences which would result from it. A great portion of the produce of the very fertile country through which it would pass would find a market through that channel. Troops might be moved with great facility in war, with cannon and every kind of munition, and in either direction. Connecting the Atlantic with the Western country in a line passing through the seat of the National Government, it would contribute essentially to strengthen the bond of union itself. Believing as I do that Congress possess the right to appropriate money for such a national object (the jurisdiction remaining to the States through which the canal would pass), I submit it to your consideration whether it may not be advisable to authorize by an adequate appropriation the employment of a suitable number of the officers of the Corps of Engineers to examine the unexplored ground during the next season and to report their opinion thereon. It will likewise be proper to extend their examination to the several routes through which the waters of the Ohio may be connected by canals with those of Lake Erie.

As the Cumberland road will require annual repairs, and Congress have not thought it expedient to recommend to the States an amendment to the Constitution for the purpose of vesting in the United States a power to adopt and execute a system of internal improvement, it is also submitted to your consideration whether it may not be expedient to authorize the Executive to enter into an arrangement with the several States through which the road passes to establish tolls, each within its limits, for the purpose of defraying the expense of future repairs and of providing also by suitable penalties for its protection against future injuries.

The act of Congress of the 7th of May, 1822, appropriated the sum of $22,700 for the purpose of erecting two piers as a shelter for vessels from ice near Cape Henlopen, Delaware Bay. To effect the object of the act the officers of the Board of Engineers, with Commodore Bainbridge, were directed to prepare plans and estimates of piers sufficient to answer the purpose intended by the act. It appears by their report, which accompanies the documents from the War Department, that the appropriation is not adequate to the purpose intended; and as the piers would be of great service both to the navigation of the Delaware Bay and the protection of vessels on the adjacent parts of the coast, I submit for the consideration of Congress whether additional and sufficient appropriation should not be made.

The Board of Engineers were also directed to examine and survey the entrance of the harbor of the port of Presquille, in Pennsylvania, in order to make an estimate of the expense of removing the obstructions to the entrance, with a plan of the best mode of effecting the same, under the appropriation for that purpose by act of Congress passed 3d of March last. The report of the Board accompanies the papers from the War Department, and is submitted for the consideration of Congress.

A strong hope has been long entertained, founded on the heroic struggle of the Greeks, that they would succeed in their contest and resume their equal station among the nations of the earth. It is believed that the whole civilized world take a deep interest in their welfare. Although no power has declared in their favor, yet none, according to our information, has taken part against them. Their cause and their name have protected them from dangers which might ere this have overwhelmed any other people. The ordinary calculations of interest and of acquisition with a view to aggrandizement, which mingles so much in the transactions of nations, seem to have had no effect in regard to them. From the facts which have come to our knowledge there is good cause to believe that their enemy has lost forever all dominion over them; that Greece will become again an independent nation. That she may obtain that rank is the object of our most ardent wishes.

It was stated at the commencement of the last session that a great effort was then making in Spain and Portugal to improve the condition of the people of those countries, and that it appeared to be conducted with extraordinary moderation. It need scarcely be remarked that the result has been so far very different from what was then anticipated. Of events in that quarter of the globe, with which we have so much intercourse and from which we derive our origin, we have always been anxious and interested spectators. The citizens of the United States cherish sentiments the most friendly in favor of the liberty and happiness of their fellow-men on that side of the Atlantic. In the wars of the European powers in matters relating to themselves we have never taken any part, nor does it comport with our policy so to do. It is only when our rights are invaded or seriously menaced that we resent injuries or make preparation for our defense. With the movements in this hemisphere we are of necessity more immediately connected, and by causes which must be obvious to all enlightened and impartial observers. The political system of the allied powers is essentially different in this respect from that of America. This difference proceeds from that which exists in their respective Governments; and to the defense of our own, which has been achieved by the loss of so much blood and treasure, and matured by the wisdom of their most enlightened citizens, and under which we have enjoyed unexampled felicity, this whole nation is devoted. We owe it, therefore, to candor and to the amicable relations existing between the United States and those powers to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European power we have not interfered and shall not interfere. But with the Governments who have declared their independence and maintained it, and whose independence we have, on great consideration and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny, by any European power in any other light than as the manifestation of an unfriendly disposition toward the United States. In the war between those new Governments and Spain we declared our neutrality at the time of their recognition, and to this we have adhered, and shall continue to adhere, provided no change shall occur which, in the judgment of the competent authorities of this Government, shall make a corresponding change on the part of the United States indispensable to their security.

The late events in Spain and Portugal shew that Europe is still unsettled. Of this important fact no stronger proof can be adduced than that the allied powers should have thought it proper, on any principle satisfactory to themselves, to have interposed by force in the internal concerns of Spain. To what extent such interposition may be carried, on the same principle, is a question in which all independent powers whose governments differ from theirs are interested, even those most remote, and surely none more so than the United States. Our policy in regard to Europe, which was adopted at an early stage of the wars which have so long agitated that quarter of the globe, nevertheless remains the same, which is, not to interfere in the internal concerns of any of its powers; to consider the government *de facto* as the legitimate government for us; to cultivate friendly relations with it, and to preserve those relations by a frank, firm, and manly policy, meeting in all instances the just claims of every power, submitting to injuries from none. But in regard to those continents circumstances are eminently and conspicuously different. It is impossible that the allied powers should extend their political system to any portion of either continent without endangering our peace and happiness; nor can anyone believe that our southern brethren, if left to themselves, would adopt it of their own accord. It is equally impossible, therefore, that we should behold such interposition in any form with indifference. If we look to the comparative strength and resources of Spain and those new Governments, and their distance from each other, it must be obvious that she can never subdue them. It is still the true policy of the United States to leave the parties to themselves, in the hope that other powers will pursue the same course.

If we compare the present condition of our Union with its actual state at the close of our Revolution, the history of the world furnishes no example of a progress in improvement in all the important circumstances which constitute the happiness of a nation which bears any resemblance to it. At the first epoch our population did not exceed 3,000,000. By the last census it amounted to about 10,000,000, and, what is more extraordinary, it is almost altogether native, for the immigration from other countries has been inconsiderable At the first epoch half the territory within our acknowledged limits was uninhabited and a wilderness. Since then new territory has been acquired of vast extent, comprising within it many rivers, particularly the Mississippi, the navigation of which to the ocean was of the highest importance to the original States. Over this territory our population has expanded in every direction, and new States have been established almost equal in number to those which formed the first bond of our Union. This expansion of our population and accession of new States to our Union have had the happiest effect on all its highest interests. That it has eminently augmented our resources and added to our strength and respectability as a power is admitted by all. But it is not in these important circumstances only that this happy effect is felt. It is manifest that by enlarging the basis of our system and increasing the number of States the system itself has been greatly strengthened in both its branches. Consolidation and disunion have thereby been rendered equally impracticable. Each Government, confiding in its own strength, has less to apprehend from the other, and in consequence each, enjoying a greater freedom of action, is rendered more efficient for all the purposes for which it was instituted. It is unnecessary to treat here of the vast improvement made in the system itself by the adoption of this Constitution and of its happy effect in elevating the character and in protecting the rights of the nation as well as of individuals. To what, then, do we owe these blessings? It is known to all that we derive them from the excellence of our institutions. Ought we not, then, to adopt every measure which may be necessary to perpetuate them?

JAMES MONROE.

SPECIAL MESSAGES.

WASHINGTON CITY, *December 7, 1823.*

To the Senate and House of Representatives of the United States:

By an act of the last session of Congress it was made the duty of the accounting officers of the Treasury to adjust and settle the accounts of Daniel D. Tompkins, late governor of the State of New York, on principles of equity and justice, subject to the revision and final decision of the President of the United States. The accounting officers have, in compliance with this act, reported to me a balance of $35,190 in favor of Governor Tompkins, which report I have had under consideration, together with his claim to an additional allowance, and should have decided on the same before the present time had I not delayed my decision at his request. From the view which I have taken of the subject I am satisfied, considering all the circumstances of the case, that a larger sum ought to be allowed him than that reported by the accounting officers of the Treasury. No appropriation, however, having been made by the act, and it appearing by recent information from him that the sum reported would afford him an essential accommodation at this time, the subject is submitted to the consideration of Congress with a view to that object.

JAMES MONROE.

To the Senate of the United States:

I transmit to the Senate, for its advice and consent as to the ratification, a treaty lately concluded with the Seminole Indians in Florida, whereby a cession of territory is made to the United States.

JAMES MONROE.

DECEMBER 15, 1823.

WASHINGTON, *December 23, 1823.*

To the Senate and House of Representatives of the United States:

I herewith transmit to Congress a statement by William Lambert, explanatory of his astronomical calculations with a view to establish the longitude of the Capitol.

JAMES MONROE.

WASHINGTON, *December 31, 1823.*

To the House of Representatives of the United States:

I transmit to the House of Representatives a report from the Secretary of State, with accompanying documents, containing the information requested by the resolution of the House of the 19th instant, relating to the condition and future prospects of the Greeks.

JAMES MONROE.

WASHINGTON, *January 5, 1824.*

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives of the 18th of December last, requesting copies of contracts for cannon, cannon shot, muskets, and other small arms which have been entered into since the 1st of January, 1820, and for other detailed information therein specified, I herewith transmit a report, with accompanying documents, from the Department of War.

JAMES MONROE.

WASHINGTON, *January 9, 1824.*

To the House of Representatives of the United States:

Agreeably to a resolution of the House of Representatives of the 18th of December, 1823, requesting copies of all contracts for cannon, cannon shot, muskets, and other small arms entered into since the 1st of January, 1820, I herewith transmit a report from the Department of the Navy, with other documents relating thereto.

JAMES MONROE.

WASHINGTON, *January 12, 1824.*

To the House of Representatives of the United States:

In answer to a resolution of the House of Representatives of December 24, requesting the President of the United States to lay before the House such information as he may possess, and which may be disclosed without injury to the public good, relative to the determination of any sovereign, or combination of sovereigns, to assist Spain in the subjugation of her late colonies on the American continent, and whether any Government of Europe is disposed or determined to oppose any aid or assistance which such sovereign or combination of sovereigns may afford to Spain for the subjugation of her late colonies above mentioned, I have to state that I possess no information on that subject not known to Congress which can be disclosed without injury to the public good.

JAMES MONROE.

WASHINGTON, *January 30, 1824.*

To the House of Representatives of the United States:

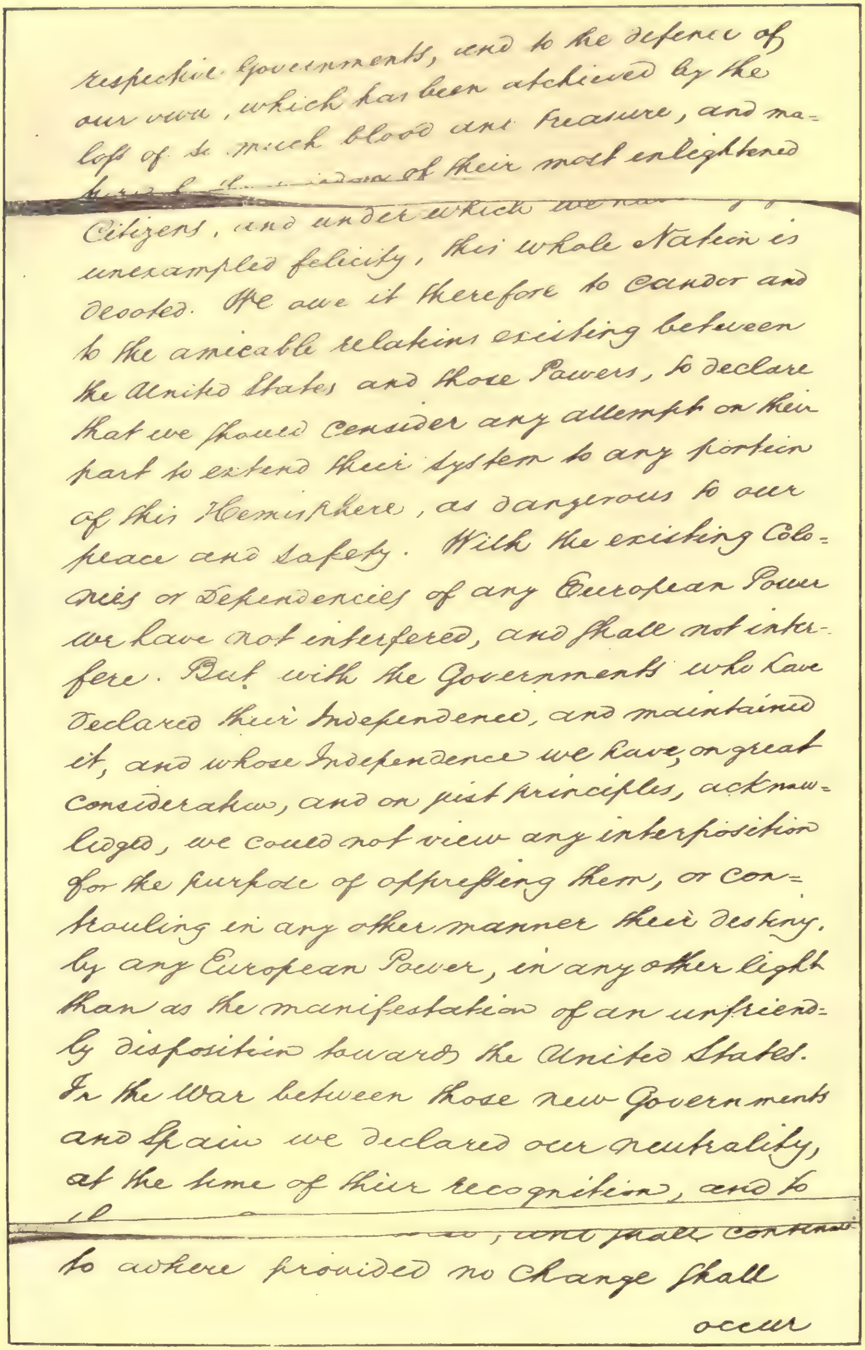
In compliance with a resolution of the House of Representatives of the 15th of December last, requesting the President of the United States "to communicate a plan for a peace establishment of the Navy of the United States," I herewith transmit a report from the Secretary of the Navy, which contains the plan required.

In presenting this plan to the consideration of Congress, I avail myself of the occasion to make some remarks on it which the importance of the subject requires and experience justifies.

If a system of universal and permanent peace could be established, or if in war the belligerent parties would respect the rights of neutral powers, we should have no occasion for a navy or an army. The expense and dangers of such establishments might be avoided. The history of all ages proves that this can not be presumed; on the contrary, that at least one-half of every century, in ancient as well as modern times, has been consumed in wars, and often of the most general and desolating character. Nor is there any cause to infer, if we examine the condition of the nations with which we have the most intercourse and strongest political relations, that we shall in future be exempt from that calamity within any period to which a rational calculation may be extended. And as to the rights of neutral powers, it is sufficient to appeal to our own experience to demonstrate how little regard will be paid to them whenever they come in conflict with the interests of the powers at war while we rely on the justice of our cause and on argument alone. The amount of the property of our fellow-citizens which was seized and confiscated or destroyed by the belligerent parties in the wars of the French Revolution, and of those which followed before we became a party to the war, is almost incalculable.

The whole movement of our Government from the establishment of our independence has been guided by a sacred regard for peace. Situated as we are in the new hemisphere, distant from Europe and unconnected with its affairs, blessed with the happiest Government on earth, and having no objects of ambition to gratify, the United States have steadily cultivated the relations of amity with every power; and if in any European wars a respect for our rights might be relied on, it was undoubtedly in those to which I have adverted. The conflict being vital, the force being nearly equally balanced, and the result uncertain, each party had the strongest motives of interest to cultivate our good will, lest we might be thrown into the opposite scale. Powerful as this consideration usually is, it was nevertheless utterly disregarded in almost every stage of and by every party to those wars. To these encroachments and injuries our regard for peace was finally forced to yield.

In the war to which at length we become a party our whole coast from St. Croix to the Mississippi was either invaded or menaced with invasion,



respective Governments, and to the defence of our own, which has been atchieved by the loſs of so much blood and treasure, and matured by the wisdom of their most enlightened Citizens, and under which we [illegible] unexampled felicity, this whole Nation is devoted. We owe it therefore to candor and to the amicable relations existing between the United States and those Powers, to declare that we ſhould consider any attempt on their part to extend their system to any portion of this Hemisphere, as dangerous to our peace and safety. With the existing Colonies or Dependencies of any European Power we have not interfered, and ſhall not interfere. But with the Governments who have declared their Independence, and maintained it, and whose Independence we have, on great consideration, and on just principles, acknowledged, we could not view any interposition for the purpose of oppreſsing them, or controuling in any other manner their destiny, by any European Power, in any other light than as the manifestation of an unfriendly disposition towards the United States. In the War between those new Governments and Spain we declared our neutrality, at the time of their recognition, and to [illegible], and ſhall continue to adhere provided no change ſhall occur

FACSIMILE OF PAGE OF MONROE DOCTRINE

and in many parts with a strong imposing force both land and naval. In those parts where the population was most dense the pressure was comparatively light, but there was scarcely an harbor or city on any of our great inlets which could be considered secure. New York and Philadelphia were eminently exposed, the then existing works not being sufficient for their protection. The same remark is applicable in a certain extent to the cities eastward of the former, and as to the condition of the whole country southward of the latter the events which mark the war are too recent to require detail. Our armies and Navy signalized themselves in every quarter where they had occasion to meet their gallant foe, and the militia voluntarily flew to their aid with a patriotism and fought with a bravery which exalted the reputation of their Government and country and which did them the highest honor. In whatever direction the enemy chose to move with their squadrons and to land their troops our fortifications, where any existed, presented but little obstacle to them. They passed those works without difficulty. Their squadrons, in fact, annoyed our whole coast, not of the sea only, but every bay and great river throughout its whole extent. In entering those inlets and sailing up them with a small force the effect was disastrous, since it never failed to draw out the whole population on each side and to keep it in the field while the squadron remained there. The expense attending this species of defense, with the exposure of the inhabitants and the waste of property, may readily be conceived.

The occurrences which preceded the war and those which attended it were alike replete with useful instruction as to our future policy. Those which marked the first epoch demonstrate clearly that in the wars of other powers we can rely only on force for the protection of our neutral rights. Those of the second demonstrate with equal certainty that in any war in which we may be engaged hereafter with a strong naval power the expense, waste, and other calamities attending it, considering the vast extent of our maritime frontier, can not fail, unless it be defended by adequate fortifications and a suitable naval force, to correspond with those which were experienced in the late war. Two great objects are therefore to be regarded in the establishment of an adequate naval force: The first, to prevent war so far as it may be practicable; the second, to diminish its calamities when it may be inevitable. Hence the subject of defense becomes intimately connected in all its parts in war and in peace, for the land and at sea. No government will be disposed in its wars with other powers to violate our rights if it knows we have the means, are prepared and resolved to defend them. The motive will also be diminished if it knows that our defenses by land are so well planned and executed that an invasion of our coast can not be productive of the evils to which we have heretofore been exposed.

It was under a thorough conviction of these truths, derived from the admonitions of the late war, that Congress, as early as the year 1816, during the term of my enlightened and virtuous predecessor, under whom the war had been declared, prosecuted, and terminated, digested and made provision for the defense of our country and support of its rights, in peace as well as in war, by acts which authorized and enjoined the augmentation of our Navy to a prescribed limit, and the construction of suitable fortifications throughout the whole extent of our maritime frontier and wherever else they might be deemed necessary. It is to the execution of these works, both land and naval, and under a thorough conviction that by hastening their completion I should render the best service to my country and give the most effectual support to our free republican system of government that my humble faculties would admit of, that I have devoted so much of my time and labor to this great system of national policy since I came into this office, and shall continue to do it until my retirement from it at the end of your next session.

The Navy is the arm from which our Government will always derive most aid in support of our neutral rights. Every power engaged in war will know the strength of our naval force, the number of our ships of each class, their condition, and the promptitude with which we may bring them into service, and will pay due consideration to that argument. Justice will always have great weight in the cabinets of Europe; but in long and destructive wars exigencies often occur which press so vitally on them that unless the argument of force is brought to its aid it will be disregarded. Our land forces will always perform their duty in the event of war, but they must perform it on the land. Our Navy is the arm which must be principally relied on for the annoyance of the commerce of the enemy and for the protection of our own, and also, by cooperation with the land forces, for the defense of the country. Capable of moving in any and every direction, it possesses the faculty, even when remote from our coast, of extending its aid to every interest on which the security and welfare of our Union depend. Annoying the commerce of the enemy and menacing in turn its coast, provided the force on each side is nearly equally balanced, it will draw its squadrons from our own; and in case of invasion by a powerful adversary by a land and naval force, which is always to be anticipated and ought to be provided against, our Navy may, by like cooperation with our land forces, render essential aid in protecting our interior from incursion and depredation.

The great object in the event of war is to stop the enemy at the coast. If this is done our cities and whole interior will be secure. For the accomplishment of this object our fortifications must be principally relied on. By placing strong works near the mouths of our great inlets in such positions as to command the entrances into them, as may be done in many instances, it will be difficult, if not impossible, for ships to pass them, especially if other precautions, and particularly that of steam batteries, are resorted to in their aid. In the wars between other powers into which we may be drawn in support of our neutral rights it can not be doubted that this defense would be adequate to the purpose intended by it, nor can it be doubted that the knowledge that such works existed would form a strong motive with any power not to invade our rights, and thereby contribute essentially to prevent war. There are, it is admitted, some entrances into our interior which are of such vast extent that it would be utterly imposible for any works, however extensive or well posted, to command them. Of this class the Chesapeake Bay, which is an arm of the sea, may be given as an example. But, in my judgment, even this bay may be defended against any power with whom we may be involved in war as a third party in the defense of our neutral rights. By erecting strong works at the mouth of James River, on both sides, near the capes, as we are now doing, and at Old Point Comfort and the Rip Raps, and connecting those works together by chains whenever the enemy's force appeared, placing in the rear some large ships and steam batteries, the passage up the river would be rendered impracticable. This guard would also tend to protect the whole country bordering on the bay and rivers emptying into it, as the hazard would be too great for the enemy, however strong his naval force, to ascend the bay and leave such a naval force behind; since, in the event of a storm, whereby his vessels might be separated, or of a calm, the ships and steam batteries behind the works might rush forth and destroy them. It could only be in the event of an invasion by a great power or a combination of several powers, and by land as well as by naval forces, that those works could be carried; and even then they could not fail to retard the movement of the enemy into the country and to give time for the collection of our regular troops, militia, and volunteers to that point, and thereby contribute essentially to his ultimate defeat and expulsion from our territory.

Under a strong impression that a peace establishment of our Navy is connected with the possible event of war, and that the naval force intended for either state, however small it may be, is connected with the general system of public defense, I have thought it proper in communicating this report to submit these remarks on the whole subject.

JAMES MONROE.

WASHINGTON, *February 2, 1824.*

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives of the 11th of December last, requesting the President of the United States to communicate to the House all such parts of the correspondence with the Government of Spain relating to the Florida treaty to the period of its final ratification, not heretofore communicated, which, in his opinion, it might not be inconsistent with the public interest to communicate, I herewith transmit a report from the Secretary of State, with copies of the correspondence requested.

JAMES MONROE.

WASHINGTON, *February 23, 1824.*

To the House of Representatives of the United States:

The House of Representatives on the 12th instant having "resolved that the President of the United States be requested to inform this House whether the rules and regulations compiled by General Scott for the government of the Army are now in force in the Army, or any part thereof, and by what authority the same has been adopted and enforced," I herewith transmit a report from the Department of War, which contains the information required.

JAMES MONROE.

WASHINGTON, *February 23, 1824.*

To the House of Representatives of the United States:

Agreeably to a resolution of the House of Representatives of the 11th instant, requesting the President of the United States "to inform this House if the line intended to constitute the western boundary of the Territory of Arkansas has been run in conformity with the provisions of the third section of the act of Congress of the 3d of March, 1823, entitled 'An act making appropriation for the military service of the United States for the year 1823, and for other purposes,' and, if said line has not been run, that he inform this House what instructions have been given or measures adopted in relation to the execution of the provision of the law, and what causes have prevented said line from being run," I herewith transmit a report from the Secretary of War, which contains the information required.

JAMES MONROE.

WASHINGTON, *February 23, 1824.*

To the House of Representatives of the United States:

The House of Representatives on the 26th ultimo having "resolved that the President of the United States be requested to cause to be laid before the House an estimate of the expense which would be incurred by transporting 200 of the troops now at the Council Bluffs to the mouth of the Columbia or Oregon River," I herewith transmit a report of the Secretary of War, which contains the information required.

JAMES MONROE.

WASHINGTON, *February 23, 1824.*

To the Senate and House of Representatives of the United States:

I herewith transmit to Congress certain documents relating to a claim of Massachusetts for services rendered by the militia of that State in the late war, and for which payment was made by the State. From the particular circumstances attending this claim I have thought it proper to submit the subject to the consideration of Congress.

In forming a just estimate of this claim it will be necessary to recur to the cause which prevented its admission, or the admission of any part thereof, at an earlier day. It will be recollected that when a call was made on the militia of that State for service in the late war, under an arrangement which was alike applicable to the militia of all the States and in conformity with the acts of Congress, the executive of Massachusetts refused to comply with the call, on the principle that the power vested in Congress by the Constitution to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions was not a complete power for those purposes, but conditional, and dependent on the consent of the executives of the several States, and, also, that when called into service, such consent being given, they could not be commanded by a regular officer of the United States, or other officer than of the militia, except by the President in person. That this decision of the executive of Massachusetts was repugnant to the Constitution of the United States, and of dangerous tendency, especially when it is considered that we were then engaged in a war with a powerful nation for the defense of our common rights, was the decided opinion of this Government; and when the period at which that decision was formed was considered, it being as early as the 5th of August, 1812, immediately after the war was declared, and that it was not relinquished during the war, it was inferred by the Executive of the United States that the decision of the executive of that State was alike applicable to all the services that were rendered by the militia of the State during the war.

In the correspondence with the governor of Massachusetts at that important epoch, and on that very interesting subject, it was announced to him by the Secretary of War that if the militia of the State were called into service by the executive of the State, and not put under the command of the Major-General of the United States, as the militia of the other States were, the expense attending their service would be chargeable to the State, and not to the United States. It was also stated to him at the same time that any claim which the State might have for the reimbursement of such expenses could not be allowed by the Executive of the United States, since it would involve principles on which that branch of the Government could not decide.

Under these circumstances a decision on the claim of the State of Massachusetts has hitherto been suspended, and it need not be remarked that the suspension has proceeded from a conviction that it would be improper to give any sanction by its admission, or by the admission of any part thereof, either to the construction of the Constitution contended for by the then executive of that State or to its conduct at that period toward the General Government and the Union.

In January, 1823, the Representatives in Congress from Massachusetts and Maine suggested, by memorial, that the constitutional objection could not apply to a portion of the claim, and requested that the accounting officer of the Government might be instructed to audit and admit such part as might be free from that objection. In all cases where claims are presented for militia service it is the duty and the practice of the accounting officer to submit them to the Department for instruction as to the legality of the claim; that is, whether the service had been rendered by order of the competent authority, or otherwise, under circumstances to justify the claim against the United States, admitting that the evidence in support of it should be satisfactory. To this request there appeared to be no well-founded objection, under the reservation as to the constitutional principle, and accordingly an order was given to the accounting officers of the Treasury to proceed in auditing the claim with that reservation.

In conformity with this arrangement, the executive of Massachusetts appointed two citizens of that State commissioners to attend to the settlement of its claim, and who, in execution of the trust reposed in them, have presented to the accounting officer of the Treasury that portion comprehending the services of the fifth division of the militia of the State, which has been audited and reported for consideration, subject to the objection above stated. I have examined this report, with the documents presented by the commissioners, and am of opinion that the services rendered by that division were spontaneous, patriotic and proper, necessary for self-defense, to repel in some instances actual invasion and in others to meet by adequate preparation invasions that were menaced. The commissioners of the State having intimated that other portions of service stood on similar ground, the accounting officer has been instructed, in auditing the whole, to do it in such manner as to enable the Department to show distinctly under what circumstances each portion of service was rendered, whether voluntary, called out by invasion or the menace of invasion, or by public authority, and in such case whether the militia rendering such service was placed under the authority of the United States or retained under that of the State.

It affords me great pleasure to state that the present executive of Massachusetts has disclaimed the principle which was maintained by the former executive, and that in this disclaimer both branches of the legislature have concurred. By this renunciation the State is placed on the same ground in this respect with the other States, and this very distressing anomaly in our system is removed. It is well known that the great body of our fellow-citizens in Massachusetts are as firmly devoted to our Union and to the free republican principles of our Government as our fellow-citizens of the other States. Of this important truth their conduct in every stage of our Revolutionary struggle and in many other emergencies bears ample testimony; and I add with profound interest and a thorough conviction that, although the difficulty adverted to in the late war with their executive excited equal surprise and regret, it was not believed to extend to them. There never was a moment when the confidence of the Government in the great body of our fellow-citizens of that State was impaired, nor is a doubt entertained that they were at all times willing and ready to support their rights and repel an invasion by the enemy.

The commissioners of Massachusetts have urged, in compliance with their instructions, the payment of so much of their claim as applies to the services rendered by the fifth division, which have been audited, and I should have no hesitation in admitting it if I did not think, under all the circumstances of the case, that the claim in all its parts was cognizable by Congress alone. The period at which the constitutional difficulty was raised by the executive of the State was in the highest degree important, as was the tendency of the principle for which it contended, and which was adhered to during the war. The public mind throughout the Union was much excited by that occurrence, and great solicitude was felt as to its consequences. The Executive of the United States was bound to maintain, and did maintain, a just construction of the Constitution, in doing which it is gratifying to recollect that the most friendly feelings were cherished toward their brethren of that State. The executive of the State was warned, in the correspondence which then took place, of the light in which its conduct was viewed and of the effect it would have, so far as related to the right of the Executive of the United States, on any claim which might afterwards be presented by the State to compensation for such services. Under these circumstances the power of the Executive of the United States to settle any portion of this claim seems to be precluded. It seems proper, also, that this claim should be decided on full investigation before the public, that the principle on which it is decided may be thoroughly understood by our fellow-citizens of every State, which can be done by Congress alone, who alone, also, possess the power to pass laws which may be necessary to carry such decision into effect.

In submitting this subject to the calm and enlightened judgment of Congress, I do it with peculiar satisfaction, from a knowledge that you are now placed, by the course of events, in a situation which will enable you to adopt such measures as will not only comport with the sound principles of our Government, but likewise be conducive to other the highest interests of our Union. By the renunciation of the principle maintained by the then executive of Massachusetts, as has been done by its present executive and both branches of the legislature in the most formal manner and in accord with the sentiments of the great body of the people, the Constitution is restored in a very important feature (that connected with the public defense) and in the most important branch (that of the militia) to its native strength. It is very gratifying to know that this renunciation has been produced by the regular, orderly, and pacific operation of our republican system, whereby those who were in the right at the moment of difficulty and who sustained the Government with great firmness have daily gained strength until this result was accomplished. The points on which you will have to decide are, What is fairly due for the services which were actually rendered? By what means shall we contribute most to cement the Union and give the greatest support to our most excellent Constitution? In seeking each object separately we are led to the same result. All that can be claimed by our fellow-citizens of Massachusetts is that the constitutional objection be waived, and that they be placed on the same footing with their brethren in the other States; that regarding the services rendered by the militia of other States, for which compensation has been made, giving to the rule the most liberal construction, like compensation be made for similar services rendered by the militia of that State.

I have been led to conclude on great consideration that the principles of justice as well as a due regard for the great interests of our Union require that this claim in the extent proposed should be acceded to. Essential service was rendered in the late war by the militia of Massachusetts, and with the most patriotic motives. It seems just, therefore, that they should be compensated for such services in like manner with the militia of the other States. The constitutional difficulty did not originate with them, and has now been removed. It comports with our system to look to the service rendered and to the intention with which it was rendered, and to award the compensation accordingly, especially as it may now be done without the sacrifice of principle. The motive in this instance is the stronger because well satisfied I am that by so doing we shall give the most effectual support to our republican institutions. No latent cause of discontent will be left behind. The great body of the people will be gratified, and even those who now survive who were then in error can not fail to see with interest and satisfaction this distressing occurrence thus happily terminated. I therefore consider it my duty to recommend it to Congress to make provision for the settlement of the claim of Massachusetts for services rendered in the late war by the militia of the State, in conformity with the rules which have governed in the settlement of the claims for services rendered by the militia of the other States.

JAMES MONROE.

FEBRUARY 24, 1824.

To the House of Representatives of the United States:

I transmit herewith a report of the Secretary of War, containing the information called for by a resolution of the House of Representatives of the United States, passed on the 4th instant, respecting any suit or suits which have been or are now depending, in which the United States are interested, for the recovery of the Pea Patch.

JAMES MONROE.

WASHINGTON, *February 25, 1824*.

To the House of Representatives of the United States:

In conformity with the resolution of the House of Representatives of the 17th instant, I now transmit the report of the Secretary of the Navy, accompanied by statements marked A and B, shewing "the amount of money expended in conformity with the provisions of the act entitled 'An act for the gradual increase of the Navy of the United States,' approved April 29, 1816, and of the act to amend said act, approved 3d of March, 1821; also the number of vessels built or now on the stocks, with their rates, the value of the timber purchased, or for which contracts have been made, and whether sufficient timber has been purchased or contracted for to build the vessels contemplated by the provisions of said acts."

JAMES MONROE.

MARCH 3, 1824.

To the Senate of the United States:

I transmit to the Senate a report of the Secretary of the Treasury, containing copies of the contracts made by the Surveyor-General, and called for by a resolution of the Senate bearing date the 24th February, 1824.

JAMES MONROE.

MARCH 4, 1824.

To the House of Representatives of the United States:

I transmit a report of the Secretary of the Treasury, which communicates all the information in possession of the Department called for by a resolution of the House requesting a copy of the report of the register of the land office in the eastern district of Louisiana, bearing date the 6th of January, 1821, together with all the information from the said register to the Treasury Department.

JAMES MONROE.

WASHINGTON, *March 4, 1824*.

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives of the 1st March, 1823, requesting information of the number and position of the permanent fortifications which have been and are now erecting for the defense of the coasts, harbors, and frontiers of the United States, with the classification and magnitude of each, with the amount expended on each, showing the work done and to be done, the number of guns of every caliber for each fortification, the total cost of a complete armament for each, the force required to garrison each in time of peace and of war, I transmit to the House a report from the Secretary of War containing the information required by the resolution.

JAMES MONROE.

WASHINGTON, *March 8, 1824.*

To the Senate and House of Representatives of the United States:

On the 3d March, 1819, James Miller was first commissioned as governor of the Territory of Arkansas for the term of three years from that date.

Before the expiration of that time, and in the winter of 1821–22, a nomination of him for reappointment was intended, and believed by me to have been made to the Senate, and to have received the confirmation of that body.

By some accident, the cause of which is unknown, it appears that this impression was erroneous, and in December, 1822, it was discovered that Mr. Miller had not then been recommissioned, though in the confidence that he had been he had continued to act in that capacity. He was then renominated to the Senate, with the additional proposal that his commission should take effect from 3d March, 1822, when his first commission had expired.

The nomination was confirmed by the Senate so far as regarded the appointment, but without concurrence in the retrospective effect proposed to be given to the commission.

His second commission, therefore, bears date on the 3d January, 1823, and the interposition of the Legislature becomes necessary to legalize his official acts in the interval between 3d March, 1822, and that time, a subject which I recommend to the consideration of Congress.

JAMES MONROE.

MARCH 17, 1824.

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives of the 17th of February last, requesting "information whether any measures had been taken for carrying into effect the resolution of Congress of June 17, 1777, directing a monument to be erected to the memory of David Wooster, a brigadier-general in the Army of the United States, who fell in defending the liberties of America and bravely repelling an inroad of the British forces to Danbury, in Connecticut," I have caused the necessary inquiries to be made, and find by the report of the Register of the Treasury that no monument has been erected to the memory of that patriotic and gallant officer, nor has any money been paid to the executive of Connecticut on that account.

JAMES MONROE.

WASHINGTON, *March 25, 1824.*

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives of the 25th of February, requesting information whether the title of the United

Brethren for Propagating the Gospel among the Heathen to certain sections of land in Ohio has been purchased for the United States, and, if so, to cause a copy of the contract and of the papers relating thereto to be laid before the House, I transmit herewith all the documents required.

JAMES MONROE.

WASHINGTON, *March 25, 1824.*

To the Senate of the United States:

Having seen with regret that occasional errors have been made in nominations to the Senate, sometimes by the omission of a letter in the name, proceeding from casualties in the Departments and in my own office, it would be satisfactory to me if an arrangement could be made whereby such errors might be corrected without the formality of a special message. Where there is an accord as to the person there seems to be no reason for resorting to a renomination for the correction of such trivial errors. Any mode which the Senate may adopt will be satisfactory to me.

JAMES MONROE.

MARCH 25, 1824.

To the Senate and House of Representatives of the United States:

Having stated to Congress on the 7th of December last that Daniel D. Tompkins, late governor of New York, was entitled to a larger sum than that reported in his favor by the accounting officers of the Government, and that in the execution of the law of the last session I had the subject still under consideration, I now communicate to you the result.

On full consideration of the law by which this duty was enjoined on me and of the report of the committee on the basis of which the law was founded, I have thought that I was authorized to adopt the principles laid down in that report in deciding on the sum which should be allowed to him for his services. With this view and on a comparison of his services with those which were rendered by other disbursing officers, taking into consideration also his aid in obtaining loans, I had decided to allow him 5 per cent for all sums borrowed and disbursed by him, and of which decision I informed him. Mr. Tompkins has since stated to me that this allowance will not indemnify him for his advances, loans, expenditures, and losses in rendering those services, nor place him on the footing of those who loaned money to the Government at that interesting period. He has also expressed a desire that I would submit the subject to the final decision of Congress, which I now do. In adopting this measure I think proper to add that I concur fully in the sentiments expressed by the committee in favor of the very patriotic and valuable services which were rendered by Mr. Tompkins in the late war.

JAMES MONROE.

MARCH 28, 1824.

To the House of Representatives of the United States:

I herewith transmit a report of the Secretary of War, together with a report from the Commissioner of the General Land Office, accompanied by the necessary documents, communicating the information heretofore requested by a resolution of the House in relation to the salt springs, lead and copper mines, together with the probable value of each of them and of the reservations attached to each, the extent to which they have been worked, the advantages and proximity of each to navigable waters, and the origin, nature, and extent of any claim made to them by individuals or companies, which reports contain all the information at present possessed on the subjects of the said resolution.

JAMES MONROE.

MARCH 30, 1824.

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives of the 14th instant, requesting information whether an advance of compensation had been made to any of the commissioners who had been appointed for the examination of titles and claims to land in Florida, and by what authority such advance, if any, had been made, I transmit a report of the Secretary of State, which contains the information desired.

JAMES MONROE.

WASHINGTON, *March 30, 1824.*

To the Senate and House of Representatives of the United States:

I transmit to Congress certain papers enumerated in a report from the Secretary of War, relating to the compact between the United States and the State of Georgia entered into in 1802, whereby the latter ceded to the former a portion of the territory then within its limits on the conditions therein specified. By the fourth article of that compact it was stipulated that the United States should at their own expense extinguish for the use of Georgia the Indian title to all the lands within the State as soon as it might be done *peaceably* and on *reasonable* conditions. These papers show the measures adopted by the Executive of the United States in fulfillment of the several conditions of the compact from its date to the present time, and particularly the negotiations and treaties with the Indian tribes for the extinguishment of their title, with an estimate of the number of acres purchased and sums paid for lands they acquired. They show also the state in which this interesting concern now rests with the Cherokees, one of the tribes within the State, and the inability of the Executive to make any further movement with this tribe without the special sanction of Congress.

I have full confidence that my predecessors exerted their best endeavors to execute this compact in all its parts, of which, indeed, the sums paid and the lands acquired during their respective terms in fulfillment of its several stipulations are a full proof. I have also been animated since I came into this office with the same zeal, from an anxious desire to meet the wishes of the State, and in the hope that by the establishment of these tribes beyond the Mississippi their improvement in civilization, their security and happiness would be promoted. By the paper bearing date on the 30th of January last, which was communicated to the chiefs of the Cherokee Nation in this city, who came to protest against any further appropriations of money for holding treaties with them, the obligation imposed on the United States by the compact with Georgia to extinguish the Indian title to the right of soil within the State, and the incompatibility with our system of their existence as a distinct community within any State, were pressed with the utmost earnestness. It was proposed to them at the same time to procure and convey to them territory beyond the Mississippi in exchange for that which they hold within the limits of Georgia, or to pay them for it its value in money. To this proposal their answer, which bears date 11th of February following, gives an unqualified refusal. By this it is manifest that at the present time and in their present temper they can be removed only by force, to which, should it be deemed proper, the power of the Executive is incompetent.

I have no hesitation, however, to declare it as my opinion that the Indian title was not affected in the slightest circumstance by the compact with Georgia, and that there is no obligation on the United States to remove the Indians by force. The express stipulation of the compact that their title should be extinguished at the expense of the United States when it may be done *peaceably* and on *reasonable* conditions is a full proof that it was the clear and distinct understanding of both parties to it that the Indians had a right to the territory, in the disposal of which they were to be regarded as free agents. An attempt to remove them by force would, in my opinion, be unjust. In the future measures to be adopted in regard to the Indians within our limits, and, in consequence, within the limits of any State, the United States have duties to perform and a character to sustain to which they ought not to be indifferent. At an early period their improvement in the arts of civilized life was made an object with the Government, and that has since been persevered in. This policy was dictated by motives of humanity to the aborigines of the country, and under a firm conviction that the right to adopt and pursue it was equally applicable to all the tribes within our limits.

My impression is equally strong that it would promote essentially the security and happiness of the tribes within our limits if they could be prevailed on to retire west and north of our States and Territories on lands to be procured for them by the United States, in exchange for those on which they now reside. Surrounded as they are, and pressed as they will be, on every side by the white population, it will be difficult if not impossible for them, with their kind of government, to sustain order among them. Their interior will be exposed to frequent disturbances, to remedy which the interposition of the United States will be indispensable, and thus their government will gradually lose its authority until it is annihilated. In this process the moral character of the tribes will also be lost, since the change will be too rapid to admit their improvement in civilization to enable them to institute and sustain a government founded on our principles, if such a change were compatible either with the compact with Georgia or with our general system, or to become members of a State, should any State be willing to adopt them in such numbers, regarding the good order, peace, and tranquillity of such State. But all these evils may be avoided if these tribes will consent to remove beyond the limits of our present States and Territories. Lands equally good, and perhaps more fertile, may be procured for them in those quarters. The relations between the United States and such Indians would still be the same.

Considerations of humanity and benevolence, which have now great weight, would operate in that event with an augmented force, since we should feel sensibly the obligation imposed on us by the accommodation which they thereby afforded us. Placed at ease, as the United States would then be, the improvement of those tribes in civilization and in all the arts and usages of civilized life would become the part of a general system which might be adopted on great consideration, and in which every portion of our Union would then take an equal interest. These views have steadily been pursued by the Executive, and the moneys which have been placed at its disposal have been so applied in the manner best calculated, according to its judgment, to produce this desirable result, as will appear by the documents which accompany the report of the Secretary of War.

I submit this subject to the consideration of Congress under a high sense of its importance and of the propriety of an early decision on it. This compact gives a claim to the State which ought to be executed in all its conditions with perfect good faith. In doing this, however, it is the duty of the United States to regard its strict import, and to make no sacrifice of their interest not called for by the compact nor contemplated by either of the parties when it was entered into, nor to commit any breach of right or of humanity in regard to the Indians repugnant to the judgment and revolting to the feelings of the whole American people. I submit the subject to your consideration, in full confidence that you will duly weigh the obligations of the compact with Georgia, its import in all its parts, and the extent to which the United States are bound to go under it. I submit it with equal confidence that you will also weigh the nature of the Indian title to the territory within the limits of any State, with the stipulations in the several treaties with this tribe respecting territory held by it within the State of Georgia, and decide whether any measure on the part of Congress is called for at the present time, and what such measure shall be if any is deemed expedient.

JAMES MONROE.

APRIL 9, 1824.

To the House of Representatives of the United States:

I herewith transmit the report of the Secretary of War, with the accompanying documents, containing the information requested by a resolution of the House of the 10th ultimo, and which communicates the accounts of all the generals of the Army, likewise of the Inspector-General, the chiefs of the Engineer and Ordnance Corps, and Surgeon-General for the two years preceding the 30th of September last; also shewing the amount of money paid to each under the different heads of pay, fuel, straw, quarters, transportation, and all other extra and contingent allowances; which report, together with the statements herewith transmitted, furnishes all the information required.

JAMES MONROE.

To the Senate and House of Representatives of the United States:

The executive of Virginia having requested payment of the amount of interest paid by the State for moneys borrowed and paid by it for services rendered by the militia in the late war, and such claim not being allowable according to the uniform decisions of the accounting officers of the Government, I submit the subject to your consideration, with a report from the Secretary of War and all the documents connected with it.

The following are the circumstances on which this claim is founded: From an early stage of the war the squadrons of the enemy entered occasionally the Chesapeake Bay, and, menacing its shores and those of the principal rivers emptying into it, subjected the neighboring militia to calls from the local authorities for the defense of the parts thus menaced. The pressure was most sensibly felt in 1814, after the attack on this city and its capture, when the invading force, retiring to its squadron, menaced alike Baltimore, Norfolk, and Richmond. The attack on this city had induced a call by the Department of War for large detachments of the militia of Pennsylvania, Maryland, and Virginia, which, being collected in this quarter, and the enemy bearing, in the first instance, on Baltimore, were ordered to its defense. As early as the 31st of August notice was given by the Secretary of War to the governor of Virginia of the position of the enemy and of the danger to which Richmond as well as Norfolk and Baltimore were exposed, and he was also authorized and enjoined to be on his guard, prepared at every point and in every circumstance to meet and repel the invaders. This notice was repeated several times afterwards, until the enemy left the bay and moved to the south.

In the course of the war the State had augmented its taxes to meet the pressure, but the funds being still inadequate, it borrowed money to a considerable amount, which was applied to the payment of the militia for the services thus rendered. The calls which had been made, except for the brigades in this quarter and at Norfolk, being made by the State, the settlement with those corps and the payment for their services were made according to the rules and usage of the Department by the State and not by the United States. On the settlement by the State, after the peace, with the accounting officers of the Government the reimbursement of the interest which the State had paid on the sums thus borrowed and paid to the militia was claimed, but not allowed for the reason above stated. It is this claim which I now submit to the consideration of Congress.

It need scarcely be remarked that where a State advances money for the use of the General Government for a purpose authorized by it that the claim for the interest on the amount thus advanced, which has been paid by the State, is reasonable and just. The claim is the stronger under the circumstance which existed when those advances were made, it being at a period of great difficulty, when the United States were compelled to borrow very large sums for the prosecution of the war. Had the State not borrowed this money the militia, whose services have been recognized since by the nation, must have been disbanded and the State left without defense.

The claim is, in my opinion, equally well founded where a State advances money which it has in its treasury, or which it raises by taxes, to meet the current demand.

In submitting this claim to your consideration it is proper to observe that many other States have like claims with those of Virginia, and that all those similarly circumstanced should be placed on the same footing.

I invite your attention to a principle which is deemed just, and with a view that the provision which may be made respecting it may be extended alike to all the States.

JAMES MONROE.

APRIL 12, 1824.

APRIL 16, 1824.

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives of the 8th of April, requesting information whether the fifth section of the act of the 3d March, 1803, relating to a township of land lying within John Cleves Symmes's patent, had been executed, and, if not, what reasons had prevented it, I transmit a report from the Secretary of the Treasury, which affords the information desired.

JAMES MONROE.

APRIL 16, 1824.

To the House of Representatives of the United States:

I transmit to the House of Representatives a report of the Secretary of War, containing the information requested by a resolution of the House dated 25th ultimo, shewing the reason why the engineers appointed to examine the most suitable site for a national armory on the Western waters have not made their report.

JAMES MONROE.

APRIL 16, 1824.

To the House of Representatives of the United States:

I herewith transmit to the House of Representatives a report from the Secretary of War, which contains the information requested by a resolution of the 8th instant, respecting the proposals that were made by certain Indians, therein described, of the Cherokee Nation for the cession of their lands to the United States.

JAMES MONROE.

WASHINGTON, *April 18, 1824.*

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives of the 13th instant, requesting a detailed account of the disbursement of the sums appropriated by the acts of the 30th April, 1818, and of the 3d March, 1819, for making certain improvements in the grounds connected with the public offices and the President's house, I transmit a report from the Commissioner of the Public Buildings, which contains the information desired.

JAMES MONROE.

APRIL 23, 1824.

To the House of Representatives of the United States:

In conformity with a resolution of the House of Representatives of yesterday, I have received a copy of the proceedings of the committee to whom was referred a communication from Ninian Edwards, lately appointed a minister plenipotentiary to Mexico, in which it is decided that his attendance in this city for the purpose of being examined by the committee on matters contained in the said communication was requisite. As soon as I was apprised that such a communication had been made to the House, anticipating that the attendance of Mr. Edwards might be desired for the purpose stated, I thought it proper that he should be informed thereof, and instructed him not to proceed on his mission, but to await such call as might be made on him either by the House or its committee, and in consequence a letter was addressed to him to that effect by the Secretary of State.

JAMES MONROE

APRIL 27, 1824.

To the Senate of the United States:

In conformity with the resolution of the Senate of the 19th instant, requesting information whether the Executive, through the agency of the War Department, borrowed any money during the late war, under the condition of applying the same to the defense of the State wherein the said loans were made, to what amount, and whether interest was paid by the United States for such loans, etc., I herewith transmit a report from the Secretary of War containing all the information in that Department in relation to the resolution.

JAMES MONROE.

APRIL 28, 1824.

To the House of Representatives:

The House of Representatives having referred back the accounts and claims of Daniel D. Tompkins, late governor of New York, to be settled on the principles established by the report of the committee and the law founded on it in the last session I have reconsidered the subject, and now communicate the result.

By the report of the committee, which it was understood was adopted by the House, it was decided that his accounts and claims should be settled on the four following principles:

First. That interest should be allowed him on all moneys advanced by him for the public from the time of the advance to that of his being reimbursed.

Second. That a reasonable commission should be allowed him on all moneys disbursed by him during the late war.

Third. That an indemnity should be allowed for all losses which he had sustained by the failure of the Government to fulfill its engagements to send him money or Treasury notes within the time specified to be deposited in certain banks as collateral security for loans procured by him at the request and on account of the Government.

Fourth. That he should not be held responsible for losses incurred by the frauds and failures of subagents to whom moneys were advanced through his hands.

On the first, that of interest on his advances for the public, I have allowed him $14,438.68. This allowance is made on advances admitted by the accounting department, and on the declaration of Mr. Tompkins that the remittances made to him, after his advances and previous to the 24th of December, 1814, when a very large sum was remitted to him, were applied to public purposes and not to the reimbursement of his advances.

On the second head, that of a reasonable commission for his disbursements during the late war, I have allowed him 5 per cent on the whole sum disbursed by him, amounting to $92,213.13. I have made him this extra allowance in consideration of the aid which he afforded to the

Government at that important epoch in obtaining the loan of a considerable part of the sums thus disbursed.

On the third head, that of an indemnity for losses sustained by him in consequence of the failure of the Government to fulfill its engagements to send him money or Treasury notes within the time specified, I have allowed him $4,411.25, being the amount of the loss sustained on the sale of Treasury notes, for which he was responsible.

On the fourth head, that of losses sustained by him by any frauds or failures of subagents, none such having been shewn no allowance whatever has been made to him.

From the amount thus allowed to Mr. Tompkins after deducting the sum paid him under the act of the present session and the moneys charged to his account there will remain a balance due him of $60,238.46, as appears by the sketch herewith communicated.

In making a final decision on Mr. Tompkins's claims a question arises, Shall interest be allowed him on the amount of the commission on his disbursements? The law of the last session grants to the President a power to allow interest on moneys advanced by him to the public, but does not authorize it on the commission to be allowed on his disbursements. To make such allowance belongs exclusively to Congress. Had his claims been settled at the end of the last war on the principles established by the law of the last session a commission on disbursements would then have been allowed him. This consideration operates with great force in favor of the allowance of interest on that commission at this time, which I recommend to Congress.

I think proper to add that the official relation which I bore to Governor Tompkins at that very interesting epoch, under the highly distinguished and meritorious citizen under whom we both served, enabling me to feel very sensibly the value of his services, excites a strong interest in his favor, which I deem it not improper to express.

JAMES MONROE.

WASHINGTON, *April 30, 1824*.

To the Senate of the United States:

I transmit to the Senate, for their constitutional advice with regard to its ratification, a convention for the suppression of the African slave trade, signed at London on the 13th ultimo by the minister of the United States residing there on their part, with the plenipotentiaries of the British Government on the part of that nation, together with the correspondence relating thereto, a part of which is included in a communication made to the House of Representatives on the 19th ultimo, a printed copy of which is among the documents herewith sent.

Motives of accommodation to the wishes of the British Government render it desirable that the Senate should act definitively upon this convention as speedily as may be found convenient.

JAMES MONROE.

APRIL 30, 1824.

To the Senate of the United States:

I communicate to the Senate a treaty entered into with the Cherokee Nation as early as 1804, but which, owing to causes not now understood, has never been carried into effect. Of the authenticity of the transaction a report from the Secretary of War, with the documents accompanying it, furnishes the most unquestionable proof. I submit it to the Senate for its advice and consent as to the ratification.

JAMES MONROE.

WASHINGTON, *May 7, 1824*.

To the Senate of the United States:

I communicate herewith to the Senate a report from the Secretary of State, with the documents relating to the present state of the commercial intercourse between the United States and Portugal, requested by the resolution of the Senate of the 13th ultimo.

JAMES MONROE.

MAY 11, 1824.

To the House of Representatives of the United States:

I herewith transmit to the House of Representatives a report of the Secretary of War, containing the information called for by the resolution of the 10th of March, requesting the names of all the officers of the Army who have been brevetted, stating their lineal rank and brevet rank, when brevetted, and the amount of money paid to each and when paid, which report, with the accompanying documents, contains the information desired.

JAMES MONROE.

MAY 13, 1824.

To the House of Representatives of the United States:

In compliance with the resolution of the House of Representatives of the 15th of April, requesting the President to cause to be communicated to the House a statement of the supplies which have been sent from the United States to any ports of South America for the use of our squadron in the Pacific Ocean, of the amount paid for such supplies, with the names of the owners of the vessels, and other details therein specified, I transmit herewith a report from the Secretary of the Navy, which, with the documents accompanying it, furnishes the information desired.

JAMES MONROE.

MAY 14, 1824.

To the House of Representatives of the United States:

I herewith transmit to the House of Representatives a report of the Secretary of the Navy, together with the proceedings of a court-martial lately held at Norfolk for the trial of Lieutenant Beverly Kennon, as requested by a resolution of the House bearing date the 25th of April, 1824.

JAMES MONROE.

WASHINGTON, *May 18, 1824.*

To the House of Representatives of the United States:

I communicate to the House a report, with accompanying documents, received from Alexander Hamilton, one of the commissioners of land titles in East Florida, deeming the statements therein contained to be worthy of the particular attention of the House, and of a nature which may, perhaps, require their interposition or that of both branches of the Legislature.

JAMES MONROE.

WASHINGTON, *May 21, 1824.*

To the Senate of the United States:

Apprehending from the delay in the decision that some difficulty exists with the Senate respecting the ratification of the convention lately concluded with the British Government for the suppression of the slave trade by making it piratical, I deem it proper to communicate for your consideration such views as appear to me to merit attention. Charged as the Executive is, and as I have long been, with maintaining the political relations between the United States and other nations, I consider it my duty, in submitting for your advice and consent as to the ratification any treaty or convention which has been agreed on with another power, to explain, when the occasion requires it, all the reasons which induced the measure. It is by such full and frank explanation only that the Senate can be enabled to discharge the high trust reposed in them with advantage to their country. Having the instrument before them, with the views which guided the Executive in forming it, the Senate will possess all the light necessary to a sound decision.

By an act of Congress of 15th May, 1820, the slave trade, as described by that act, was made piratical, and all such of our citizens as might be found engaged in that trade were subjected, on conviction thereof by the circuit courts of the United States, to capital punishment. To communicate more distinctly the import of that act, I refer to its fourth and fifth sections, which are in the following words:

SEC. 4. *And be it further enacted*, That if any citizen of the United States, being of the crew or ship's company of any foreign ship or vessel engaged in the slave trade, or any person whatever, being of the crew or ship's company of any ship or vessel owned in the whole or part or navigated for or in behalf of any citizen or citizens of the United States, shall land from any such ship or vessel, and on any foreign shore seize any negro or mulatto not held to service or labor by the laws of either of the States or Territories of the United States, with intent to make such negro or mulatto a slave, or shall decoy or forcibly bring or carry, or shall receive, such negro or mulatto on board any such ship or vessel, with intent as aforesaid, such citizen or person shall be adjudged a pirate, and on conviction thereof before the circuit court of the United States for the district wherein he may be brought or found shall suffer death.

SEC. 5. *And be it further enacted*, That if any citizen of the United States, being of the crew or ship's company of any foreign ship or vessel engaged in the slave trade, or any person whatever, being of the crew or ship's company of any ship or vessel owned wholly or in part, or navigated for or in behalf of, any citizen or citizens of the United States, shall forcibly confine or detain, or aid and abet in forcibly confining or detaining, on board such ship or vessel any negro or mulatto not held to service by the laws of either of the States or Territories of the United States, with intent to make such negro or mulatto a slave, or shall on board any such ship or vessel offer or attempt to sell as a slave any negro or mulatto not held to service as aforesaid, or shall on the high seas or anywhere on tide water transfer or deliver over to any other ship or vessel any negro or mulatto not held to service as aforesaid, with intent to make such negro or mulatto a slave, or shall land or deliver on shore from on board any such ship or vessel any such negro or mulatto, with intent to make sale of, or having previously sold such negro or mulatto as a slave, such citizen or person shall be adjudged a pirate, and on conviction thereof before the circuit court of the United States for the district wherein he may be brought or found shall suffer death.

And on the 28th February, 1823, the House of Representatives, by a majority of 131 to 9, passed a resolution to the following effect:

Resolved, That the President of the United States be requested to enter upon and prosecute from time to time such negotiations with the several maritime powers of Europe and America as he may deem expedient for the effectual abolition of the African slave trade and its ultimate denunciation as piracy under the law of nations, by the consent of the civilized world.

By the act of Congress above referred to, whereby the most effectual means that could be devised were adopted for the extirpation of the slave trade, the wish of the United States was explicitly declared, that all nations might concur in a similar policy. It could only be by such concurrence that the great object could be accomplished, and it was by negotiation and treaty alone that such concurrence could be obtained, commencing with one power and extending it to others. The course, therefore, which the Executive, who had concurred in the act, had to pursue was distinctly marked out for it. Had there, however, been any doubt respecting it, the resolution of the House of Representatives, the branch which might with strict propriety express its opinion, could not fail to have removed it.

By the tenth article of the treaty of peace between the United States and Great Britain, concluded at Ghent, it was stipulated that both parties should use their best endeavors to accomplish the abolition of the African slave trade. This object has been accordingly pursued by both Governments with great earnestness, by separate acts of legislation, and by negotiation almost uninterrupted, with the purpose of establishing a concert between them in some measure which might secure its accomplishment.

Great Britain in her negotiations with other powers had concluded treaties with Spain, Portugal, and the Netherlands, in which, without constituting the crime as piracy or classing it with crimes of that denomination, the parties had conceded to the naval officers of each other the right of search and capture of the vessels of either that might be engaged in the slave trade, and had instituted courts consisting of judges, subjects of both parties, for the trial of the vessels so captured.

In the negotiations with the United States Great Britain had earnestly and repeatedly pressed on them the adoption of similar provisions. They had been resisted by the Executive on two grounds: One, that the constitution of mixed tribunals was incompatible with their Constitution; and the other, that the concession of the right of search in time of peace for an offense not piratical would be repugnant to the feelings of the nation and of dangerous tendency. The right of search is the right of war of the belligerent toward the neutral. To extend it in time of peace to any object whatever might establish a precedent which might lead to others with some powers, and which, even if confined to the instance specified, might be subject to great abuse.

Animated by an ardent desire to suppress this trade, the United States took stronger ground by making it, by the act above referred to, piratical, a measure more adequate to the end and free from many of the objections applicable to the plan which had been proposed to them. It is this alternative which the Executive, under the sanction and injunctions above stated, offered to the British Government, and which that Government has accepted. By making the crime piracy the right of search attaches to the crime, and which when adopted by all nations will be common to all; and that it will be so adopted may fairly be presumed if steadily persevered in by the parties to the present convention. In the meantime, and with a view to a fair experiment, the obvious course seems to be to carry into effect with every power such treaty as may be made with each in succession.

In presenting this alternative to the British Government it was made an indispensable condition that the trade should be made piratical by act of Parliament, as it had been by an act of Congress. This was provided for in the convention, and has since been complied with. In this respect, therefore, the nations rest on the same ground. Suitable provisions have also been adopted to protect each party from the abuse of the power granted to the public ships of the other. Instead of subjecting the persons detected in the slave trade to trial by the courts of the captors, as would be the case if such trade was piracy by the laws of nations, it is stipulated that until that event they shall be tried by the courts of their own country only. Hence there could be no motive for an abuse of the right of search, since such abuse could not fail to terminate to the injury of the captor.

Should this convention be adopted, there is every reason to believe that it will be the commencement of a system destined to accomplish the entire abolition of the slave trade. Great Britain, by making it her own, confessedly adopted at the suggestion of the United States, and being pledged to propose and urge its adoption by other nations in concert with the United States, will find it for her interest to abandon the less-effective system of her previous treaties with Spain, Portugal, and the Netherlands, and to urge on those and other powers their accession to this. The crime will then be universally proscribed as piracy, and the traffic be suppressed forever.

Other considerations of high importance urge the adoption of this convention. We have at this moment pending with Great Britain sundry other negotiations intimately connected with the welfare and even the peace of our Union. In one of them nearly a third part of the territory of the State of Maine is in contestation. In another the navigation of the St. Lawrence, the admission of consuls into the British islands, and a system of commercial intercourse between the United States and all the British possessions in this hemisphere are subjects of discussion. In a third our territorial and other rights upon the northwest coast are to be adjusted, while a negotiation on the same interest is opened with Russia. In a fourth all the most important controvertible points of maritime law in time of war are brought under consideration, and in the fifth the whole system of South American concerns, connected with a general recognition of South American independence, may again from hour to hour become, as it has already been, an object of concerted operations of the highest interest to both nations and to the peace of the world.

It can not be disguised that the rejection of this convention can not fail to have a very injurious influence on the good understanding between the two Governments on all these points. That it would place the Executive Administration under embarrassment, and subject it, the Congress, and the nation to the charge of insincerity respecting the great result of the final suppression of the slave trade, and that its first and indispensable consequence will be to constrain the Executive to suspend all further negotiation with every European and American power to which overtures have been made in compliance with the resolution of the House of Representatives of 28th February, 1823, must be obvious. To invite all nations, with the statute of piracy in our hands, to adopt its principles as the law of nations and yet to deny to all the common right of search for the pirate, whom it would be impossible to detect without entering and searching the vessel, would expose us not simply to the charge of inconsistency.

It must be obvious that the restriction of search for pirates to the African coast is incompatible with the idea of such a crime. It is not doubted also if the convention is adopted that no example of the commission of that crime by the citizens or subjects of either power will ever occur again. It is believed, therefore, that this right as applicable to piracy would not only extirpate the trade, but prove altogether innocent in its operation.

In further illustration of the views of Congress on this subject, I transmit to the Senate extracts from two resolutions of the House of Representatives, one of the 9th February, 1821, the other of 12th April, 1822. I transmit also a letter from the chargé d'affaires of the British Government, which shows the deep interest which that Government takes in the ratification of the treaty.

JAMES MONROE.

WASHINGTON CITY, *May 22, 1824.*

To the House of Representatives of the United States:

I transmit to the House of Representatives a report of the Secretary of the Navy, in compliance with their resolution of the 14th of April last, respecting prize agents, which report contains the information requested.

JAMES MONROE.

MAY 24, 1824.

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives of the 13th instant, requesting the President to communicate any information he may possess in relation to the intercourse and trade now carried on between the people of the United States (and particularly the people of the State of Missouri) and the Mexican Provinces, how and by what route that trade or intercourse is carried on, in what it consists, the distances, etc., the nations of Indians through which it passes, their dispositions, whether pacific or otherwise, the advantages resulting or likely to result from that trade or intercourse, I herewith transmit a communication from the Department of State, which contains all the information which has yet been collected in relation to those subjects.

JAMES MONROE.

MAY 24, 1824.

To the House of Representatives of the United States:

In compliance with a resolution of the 20th instant, I transmit herewith to the House of Representatives a report of David Shriver, superintendent of the Cumberland road, stating the manner in which the appropriation made at the last session for the repair of that road has been expended, and also the present condition of the road.

JAMES MONROE.

EIGHTH ANNUAL MESSAGE.

WASHINGTON, *December 7, 1824.*

Fellow-Citizens of the Senate and of the House of Representatives:

The view which I have now to present to you of our affairs, foreign and domestic, realizes the most sanguine anticipations which have been entertained of the public prosperity. If we look to the whole, our growth as a nation continues to be rapid beyond example; if to the States which compose it, the same gratifying spectacle is exhibited. Our expansion over the vast territory within our limits has been great, without indicating any decline in those sections from which the emigration has been most conspicuous. We have daily gained strength by a native population in every quarter—a population devoted to our happy system of government and cherishing the bond of union with fraternal affection. Experience has already shewn that the difference of climate and of industry, proceeding from that cause, inseparable from such vast domains, and which under other systems might have a repulsive tendency, can not fail to produce with us under wise regulations the opposite effect. What one portion wants the other may supply; and this will be most sensibly felt by the parts most distant from each other, forming thereby a domestic market and an active intercourse between the extremes and throughout every portion of our Union. Thus by a happy distribution of power between the National and State Governments, Governments which rest exclusively on the sovereignty of the people and are fully adequate to the great purposes for which they were respectively instituted, causes which might otherwise lead to dismemberment operate powerfully to draw us closer together. In every other circumstance a correct view of the actual state of our Union must be equally gratifying to our constituents. Our relations with foreign powers are of a friendly character, although certain interesting differences remain unsettled with some. Our revenue under the mild system of impost and tonnage continues to be adequate to all the purposes of the Government Our agriculture, commerce, manufactures, and navigation flourish. Our fortifications are advancing in the degree authorized by existing appropriations to maturity, and due progress is made in the augmentation of the Navy to the limit prescribed for it by law. For these blessings we owe to Almighty God, from whom we derive them, and with profound reverence, our most grateful and unceasing acknowledgments.

In adverting to our relations with foreign powers, which are always an object of the highest importance, I have to remark that of the subjects which have been brought into discussion with them during the present Administration some have been satisfactorily terminated, others have been suspended, to be resumed hereafter under circumstances more favorable to success, and others are still in negotiation, with the hope that they may be adjusted with mutual accommodation to the interests and to the satisfaction of the respective parties. It has been the invariable object of this Government to cherish the most friendly relations with every power, and on principles and conditions which might make them permanent. A systematic effort has been made to place our commerce with each power on a footing of perfect reciprocity, to settle with each in a spirit of candor and liberality all existing differences, and to anticipate and remove so far as it might be practicable all causes of future variance.

It having been stipulated by the seventh article of the convention of navigation and commerce which was concluded on the 24th of June, 1822, between the United States and France, that the said convention should continue in force for two years from the 1st of October of that year, and for an indefinite term afterwards, unless one of the parties should declare its intention to renounce it, in which event it should cease to operate at the end of six months from such declaration, and no such intention having been announced, the convention having been found advantageous to both parties, it has since remained, and still remains, in force. At the time when that convention was concluded many interesting subjects were left unsettled, and particularly our claim to indemnity for spoliations which were committed on our commerce in the late wars. For these interests and claims it was in the contemplation of the parties to make provision at a subsequent day by a more comprehensive and definitive treaty. The object has been duly attended to since by the Executive, but as yet it has not been accomplished. It is hoped that a favorable opportunity will present itself for opening a negotiation which may embrace and arrange all existing differences and every other concern in which they have a common interest upon the accession of the present King of France, an event which has occurred since the close of the last session of Congress.

With Great Britain our commercial intercourse rests on the same footing that it did at the last session. By the convention of 1815 the commerce between the United States and the British dominions in Europe and the East Indies was arranged on a principle of reciprocity. That convention was confirmed and continued in force, with slight exceptions, by a subsequent treaty for the term of ten years from the 20th of October, 1818, the date of the latter. The trade with the British colonies in the West Indies has not as yet been arranged, by treaty or otherwise, to our satisfaction. An approach to that result has been made by legislative acts, whereby many serious impediments which had been raised by the parties in defense of their respective claims were removed. An earnest desire exists, and has been manifested on the part of this Government, to place the commerce with the colonies, likewise, on a footing of reciprocal advantage, and it is hoped that the British Government, seeing the justice of the proposal and its importance to the colonies, will ere long accede to it.

The commissioners who were appointed for the adjustment of the boundary between the territories of the United States and those of Great Britain, specified in the fifth article of the treaty of Ghent, having disagreed in their decision, and both Governments having agreed to establish that boundary by amicable negotiation between them, it is hoped that it may be satisfactorily adjusted in that mode. The boundary specified by the sixth article has been established by the decision of the commissioners. From the progress made in that provided for by the seventh, according to a report recently received, there is good cause to presume that it will be settled in the course of the ensuing year.

It is a cause of serious regret that no arrangement has yet been finally concluded between the two Governments to secure by joint cooperation the suppression of the slave trade. It was the object of the British Government in the early stages of the negotiation to adopt a plan for the suppression which should include the concession of the mutual right of search by the ships of war of each party of the vessels of the other for suspected offenders. This was objected to by this Government on the principle that as the right of search was a right of war of a belligerent toward a neutral power it might have an ill effect to extend it by treaty, to an offense which had been made comparatively mild, to a time of peace. Anxious, however, for the suppression of this trade, it was thought advisable, in compliance with a resolution of the House of Representatives, founded on an act of Congress, to propose to the British Government an expedient which should be free from that objection and more effectual for the object, by making it piratical. In that mode the enormity of the crime would place the offenders out of the protection of their Government, and involve no question of search or other question between the parties touching their respective rights. It was believed, also, that it would completely suppress the trade in the vessels of both parties, and by their respective citizens and subjects in those of other powers, with whom it was hoped that the odium which would thereby be attached to it would produce a corresponding arrangement, and by means thereof its entire extirpation forever. A convention to this effect was concluded and signed in London on the 13th day of March, 1824, by plenipotentiaries duly authorized by both Governments, to the ratification of which certain obstacles have arisen which are not yet entirely removed. The difference between the parties still remaining has been reduced to a point not of sufficient magnitude, as is presumed, to be permitted to defeat an object so near to the heart of both nations and so desirable to the friends of humanity throughout the world. As objections, however, to the principle recommended by the House of Representatives, or at least to the consequences inseparable from it, and which are understood to apply to the law, have been raised, which may deserve a reconsideration of the whole subject, I have thought it proper to suspend the conclusion of a new convention until the definitive sentiments of Congress may be ascertained. The documents relating to the negotiation are with that intent submitted to your consideration.

Our commerce with Sweden has been placed on a footing of perfect reciprocity by treaty, and with Russia, the Netherlands, Prussia, the free Hanseatic cities, the Dukedom of Oldenburg, and Sardinia by internal regulations on each side, founded on mutual agreement between the respective Governments.

The principles upon which the commercial policy of the United States is founded are to be traced to an early period. They are essentially connected with those upon which their independence was declared, and owe their origin to the enlightened men who took the lead in our affairs at that important epoch. They are developed in their first treaty of commerce with France of 6th February, 1778, and by a formal commission which was instituted immediately after the conclusion of their Revolutionary struggle, for the purpose of negotiating treaties of commerce with every European power. The first treaty of the United States with Prussia, which was negotiated by that commission, affords a signal illustration of those principles. The act of Congress of the 3d March, 1815, adopted immediately after the return of a general peace, was a new overture to foreign nations to establish our commercial relations with them on the basis of free and equal reciprocity. That principle has pervaded all the acts of Congress and all the negotiations of the Executive on the subject since.

A convention for the settlement of important questions in relation to the northwest coast of this continent and its adjoining seas was concluded and signed at St. Petersburg on the 5th day of April last by the minister plenipotentiary of the United States and plenipotentiaries of the Imperial Government of Russia. It will immediately be laid before the Senate for the exercise of the constitutional authority of that body with reference to its ratification. It is proper to add that the manner in which this negotiation was invited and conducted on the part of the Emperor has been very satisfactory.

The great and extraordinary changes which have happened in the Governments of Spain and Portugal within the last two years, without seriously affecting the friendly relations which under all of them have been maintained with those powers by the United States, have been obstacles to the adjustment of the particular subjects of discussion which have arisen with each. A resolution of the Senate adopted at their last session called for information as to the effect produced upon our relations with Spain by the recognition on the part of the United States of the independent South American Governments. The papers containing that information are now communicated to Congress.

A chargé d'affaires has been received from the independent Government of Brazil. That country, heretofore a colonial possession of Portugal, had some years since been proclaimed by the Sovereign of Portugal himself an independent Kingdom. Since his return to Lisbon a revolution in Brazil has established a new Government there with an imperial title, at the head of which is placed a prince, in whom the regency had been vested by the King at the time of his departure. There is reason to expect that by amicable negotiation the independence of Brazil will ere long be recognized by Portugal herself.

With the remaining powers of Europe, with those on the coast of Barbary, and with all the new South American States our relations are of a friendly character. We have ministers plenipotentiary residing with the Republics of Colombia and Chile, and have received ministers of the same rank from Colombia, Guatemala, Buenos Ayres, and Mexico. Our commercial relations with all those States are mutually beneficial and increasing. With the Republic of Colombia a treaty of commerce has been formed, of which a copy is received and the original daily expected. A negotiation for a like treaty would have been commenced with Buenos Ayres had it not been prevented by the indisposition and lamented decease of Mr. Rodney, our minister there, and to whose memory the most respectful attention has been shewn by the Government of that Republic. An advantageous alteration in our treaty with Tunis has been obtained by our consular agent residing there, the official document of which when received will be laid before the Senate.

The attention of the Government has been drawn with great solicitude to other subjects, and particularly to that relating to a state of maritime war, involving the relative rights of neutral and belligerent in such wars. Most of the difficulties which we have experienced and of the losses which we have sustained since the establishment of our independence have proceeded from the unsettled state of those rights and the extent to which the belligerent claim has been carried against the neutral party. It is impossible to look back on the occurrences of the late wars in Europe, and to behold the disregard which was paid to our rights as a neutral power, and the waste which was made of our commerce by the parties to those wars by various acts of their respective Governments, and under the pretext by each that the other had set the example, without great mortification and a fixed purpose never to submit to the like in future. An attempt to remove those causes of possible variance by friendly negotiation and on just principles which should be applicable to all parties could, it was presumed, be viewed by none other than as a proof of an earnest desire to preserve those relations with every power. In the late war between France and Spain a crisis occurred in which it seemed probable that all the controvertible principles involved in such wars might be brought into discussion and settled to the satisfaction of all parties. Propositions having this object in view have been made to the Governments of Great Britain, France, Russia, and of other powers, which have been received in a friendly manner by all, but as yet no treaty has been formed with either for its accomplishment. The policy will, it is presumed, be persevered in, and in the hope that it may be successful.

It will always be recollected that with one of the parties to those wars, and from whom we received those injuries, we sought redress by war. From the other, by whose then reigning Government our vessels were seized in port as well as at sea and their cargoes confiscated, indemnity has been expected, but has not yet been rendered. It was under the influence of the latter that our vessels were likewise seized by the Governments of Spain, Holland, Denmark, Sweden, and Naples, and from whom indemnity has been claimed and is still expected, with the exception of Spain, by whom it has been rendered. With both parties we had abundant cause of war, but we had no alternative but to resist that which was most powerful at sea and pressed us nearest at home. With this all differences were settled by a treaty, founded on conditions fair and honorable to both, and which has been so far executed with perfect good faith. It has been earnestly hoped that the other would of its own accord, and from a sentiment of justice and conciliation, make to our citizens the indemnity to which they are entitled, and thereby remove from our relations any just cause of discontent on our side.

It is estimated that the receipts into the Treasury during the current year, exclusive of loans, will exceed $18,500,000, which, with the sum remaining in the Treasury at the end of the last year, amounting to $9,463,922.81, will, after discharging the current disbursements of the year, the interest on the public debt, and upward of $11,633,011.52 of the principal, leave a balance of more than $3,000,000 in the Treasury on the 1st day of January next.

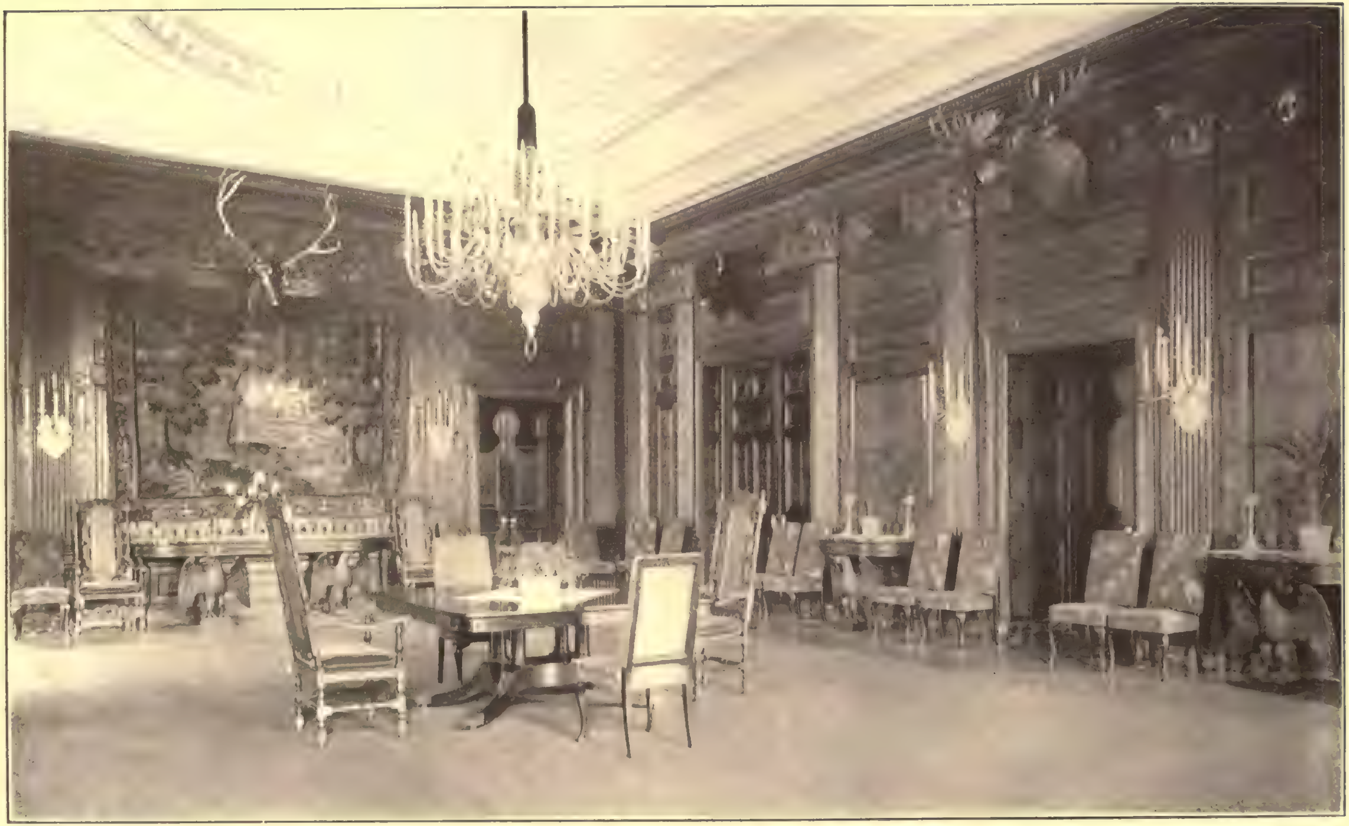
A larger amount of the debt contracted during the late war, bearing an interest of 6 per cent, becoming redeemable in the course of the ensuing year than could be discharged by the ordinary revenue, the act of the 26th of May authorized a loan of $5,000,000 at 4½ per cent to meet the same. By this arrangement an annual saving will accrue to the public of $75,000.

Under the act of the 24th of May last a loan of $5,000,000 was authorized, in order to meet the awards under the Florida treaty, which was negotiated at par with the Bank of the United States at 4½ per cent, the limit of interest fixed by the act. By this provision the claims of our citizens who had sustained so great a loss by spoliations, and from whom indemnity had been so long withheld, were promptly paid. For these advances the public will be amply repaid at no distant day by the sale of the lands in Florida. Of the great advantages resulting from the acquisition of the Territory in other respects too high an estimate can not be formed.

It is estimated that the receipts into the Treasury during the year 1825 will be sufficient to meet the disbursements of the year, including the sum of $10,000,000, which is annually appropriated by the act constituting the sinking fund to the payment of the principal and interest of the public debt.

The whole amount of the public debt on the 1st of January next may be estimated at $86,000,000, inclusive of $2,500,000 of the loan authorized by the act of the 26th of May last. In this estimate is included a stock of $7,000,000, issued for the purchase of that amount of the capital stock of the Bank of the United States, and which, as the stock of the bank still held by the Government will at least be fully equal to its reimbursement, ought not to be considered as constituting a part of the public debt. Estimating, then, the whole amount of the public debt at $79,000,000 and regarding the annual receipts and expenditures of the Government, a well-founded hope may be entertained that, should no unexpected event occur, the whole of the public debt may be discharged in the course of ten years, and the Government be left at liberty thereafter to apply such portion of the revenue as may not be necessary for current expenses to such other objects as may be most conducive to the public security and welfare. That the sums applicable to these objects will be very considerable may be fairly concluded when it is recollected that a large amount of the public revenue has been applied since the late war to the construction of the public buildings in this city; to the erection of fortifications along the coast and of arsenals in different parts of the Union; to the augmentation of the Navy; to the extinguishment of the Indian title to large tracts of fertile territory; to the acquisition of Florida; to pensions to Revolutionary officers and soldiers, and to invalids of the late war. On many of these objects the expense will annually be diminished and cease at no distant period on most of them. On the 1st of January, 1817, the public debt amounted to $123,491,965.16, and, notwithstanding the large sums which have been applied to these objects, it has been reduced since that period $37,446,961.78. The last portion of the public debt will be redeemable on the 1st of January, 1835, and while there is the best reason to believe that the resources of the Government will be continually adequate to such portions of it as may become due in the interval, it is recommended to Congress to seize every opportunity which may present itself to reduce the rate of interest on every part thereof. The high state of the public credit and the great abundance of money are at this time very favorable to such a result. It must be very gratifying to our fellow-citizens to witness this flourishing state of the public finances when it is recollected that no burthen whatever has been imposed upon them.

The military establishment in all its branches, in the performance of the various duties assigned to each, justifies the favorable view which was presented of the efficiency of its organization at the last session. All the appropriations have been regularly applied to the objects intended by Congress, and so far as the disbursements have been made the accounts have been rendered and settled without loss to the public. The condition of the Army itself, as relates to the officers and men, in science and discipline is highly respectable. The Military Academy, on which the Army essentially rests, and to which it is much indebted for this state of



WHITE HOUSE—THE STATE DINING ROOM

improvement, has attained, in comparison with any other institution of a like kind, a high degree of perfection. Experience, however, has shewn that the dispersed condition of the corps of artillery is unfavorable to the discipline of that important branch of the military establishment. To remedy this inconvenience, eleven companies have been assembled at the fortification erected at Old Point Comfort as a school for artillery instruction, with intention as they shall be perfected in the various duties of that service to order them to other posts, and to supply their places with other companies for instruction in like manner. In this mode a complete knowledge of the science and duties of this arm will be extended throughout the whole corps of artillery. But to carry this object fully into effect will require the aid of Congress, to obtain which the subject is now submitted to your consideration.

Of the progress which has been made in the construction of fortifications for the permanent defense of our maritime frontier, according to the plan decided on and to the extent of the existing appropriations, the report of the Secretary of War, which is herewith communicated, will give a detailed account. Their final completion can not fail to give great additional security to that frontier, and to diminish proportionably the expense of defending it in the event of war.

The provisions in the several acts of Congress of the last session for the improvement of the navigation of the Mississippi and the Ohio, of the harbor of Presqu'isle, on Lake Erie, and the repair of the Plymouth beach are in a course of regular execution; and there is reason to believe that the appropriation in each instance will be adequate to the object. To carry these improvements fully into effect, the superintendence of them has been assigned to officers of the Corps of Engineers.

Under the act of 30th April last, authorizing the President to cause a survey to be made, with the necessary plans and estimates, of such roads and canals as he might deem of national importance in a commercial or military point of view, or for the transportation of the mail, a board has been instituted, consisting of two distinguished officers of the Corps of Engineers and a distinguished civil engineer, with assistants, who have been actively employed in carrying into effect the object of the act. They have carefully examined the route between the Potomac and the Ohio rivers; between the latter and Lake Erie; between the Alleghany and the Susquehannah; and the routes between the Delaware and the Raritan, Barnstable and Buzzards Bay, and between Boston Harbor and Narraganset Bay. Such portion of the Corps of Topographical Engineers as could be spared from the survey of the coast has been employed in surveying the very important route between the Potomac and the Ohio. Considerable progress has been made in it, but the survey can not be completed until the next season. It is gratifying to add, from the view already taken, that there is good cause to believe that this great national object may be fully accomplished.

It is contemplated to commence early in the next season the execution of the other branch of the act—that which relates to roads—and with the survey of a route from this city, through the Southern States, to New Orleans, the importance of which can not be too highly estimated. All the officers of both the corps of engineers who could be spared from other services have been employed in exploring and surveying the routes for canals. To digest a plan for both objects for the great purposes specified will require a thorough knowledge of every part of our Union and of the relation of each part to the others and of all to the seat of the General Government. For such a digest it will be necessary that the information be full, minute, and precise. With a view to these important objects, I submit to the consideration of the Congress the propriety of enlarging both the corps of engineers—the military and topographical. It need scarcely be remarked that the more extensively these corps are engaged in the improvement of their country, in the execution of the powers of Congress, and in aid of the States in such improvements as lie beyond that limit, when such aid is desired, the happier the effect will be in many views of which the subject is susceptible. By profiting of their science the works will always be well executed, and by giving to the officers such employment our Union will derive all the advantage, in peace as well as in war, from their talents and services which they can afford. In this mode, also, the military will be incorporated with the civil, and unfounded and injurious distinctions and prejudices of every kind be done away. To the corps themselves this service can not fail to be equally useful, since by the knowledge they would thus acquire they would be eminently better qualified in the event of war for the great purposes for which they were instituted.

Our relations with the Indian tribes within our limits have not been materially changed during the year. The hostile disposition evinced by certain tribes on the Missouri during the last year still continues, and has extended in some degree to those on the Upper Mississippi and the Upper Lakes. Several parties of our citizens have been plundered and murdered by those tribes. In order to establish relations of friendship with them, Congress at the last session made an appropriation for treaties with them and for the employment of a suitable military escort to accompany and attend the commissioners at the places appointed for the negotiations. This object has not been effected. The season was too far advanced when the appropriation was made and the distance too great to permit it, but measures have been taken, and all the preparations will be completed to accomplish it at an early period in the next season.

Believing that the hostility of the tribes, particularly on the Upper Mississippi and the Lakes, is in no small degree owing to the wars which are carried on between the tribes residing in that quarter, measures have been taken to bring about a general peace among them, which, if successful, will not only tend to the security of our citizens, but be of great advantage to the Indians themselves.

With the exception of the tribes referred to, our relations with all the others are on the same friendly footing, and it affords me great satisfaction to add that they are making steady advances in civilization and the improvement of their condition. Many of the tribes have already made great progress in the arts of civilized life. This desirable result has been brought about by the humane and persevering policy of the Government, and particularly by means of the appropriation for the civilization of the Indians. There have been established under the provisions of this act 32 schools, containing 916 scholars, who are well instructed in several branches of literature, and likewise in agriculture and the ordinary arts of life.

Under the appropriation to authorize treaties with the Creeks and Quaupaw Indians commissioners have been appointed and negotiations are now pending, but the result is not yet known.

For more full information respecting the principle which has been adopted for carrying into effect the act of Congress authorizing surveys, with plans and estimates for canals and roads, and on every other branch of duty incident to the Department of War, I refer you to the report of the Secretary.

The squadron in the Mediterranean has been maintained in the extent which was proposed in the report of the Secretary of the Navy of the last year, and has afforded to our commerce the necessary protection in that sea. Apprehending, however, that the unfriendly relations which have existed between Algiers and some of the powers of Europe might be extended to us, it has been thought expedient to augment the force there, and in consequence the *North Carolina*, a ship of the line, has been prepared, and will sail in a few days to join it.

The force employed in the Gulf of Mexico and in the neighboring seas for the suppression of piracy has likewise been preserved essentially in the state in which it was during the last year. A persevering effort has been made for the accomplishment of that object, and much protection has thereby been afforded to our commerce, but still the practice is far from being suppressed. From every view which has been taken of the subject it is thought that it will be necessary rather to augment than to diminish our force in that quarter. There is reason to believe that the piracies now complained of are committed by bands of robbers who inhabit the land, and who, by preserving good intelligence with the towns and seizing favorable opportunities, rush forth and fall on unprotected merchant vessels, of which they make an easy prey. The pillage thus taken they carry to their lurking places, and dispose of afterwards at prices tending to seduce the neighboring population. This combination is understood to be of great extent, and is the more to be deprecated because the crime of piracy is often attended with the murder of the crews, these robbers knowing if any survived their lurking places would be exposed and they be caught and punished. That this atrocious practice should be carried to such extent is cause of equal surprise and regret. It is presumed that it must be attributed to the relaxed and feeble state of the local governments, since it is not doubted, from the high character of the governor of Cuba, who is well known and much respected here, that if he had the power he would promptly suppress it. Whether those robbers should be pursued on the land, the local authorities be made responsible for these atrocities, or any other measure be resorted to to suppress them, is submitted to the consideration of Congress.

In execution of the laws for the suppression of the slave trade a vessel has been occasionally sent from that squadron to the coast of Africa with orders to return thence by the usual track of the slave ships, and to seize any of our vessels which might be engaged in that trade. None have been found, and it is believed that none are thus employed. It is well known, however, that the trade still exists under other flags.

The health of our squadron while at Thompsons Island has been much better during the present than it was the last season. Some improvements have been made and others are contemplated there which, it is believed, will have a very salutary effect.

On the Pacific our commerce has much increased, and on that coast, as well as on that sea, the United States have many important interests which require attention and protection. It is thought that all the considerations which suggested the expediency of placing a squadron on that sea operate with augmented force for maintaining it there, at least in equal extent.

For detailed information respecting the state of our maritime force on each sea, the improvement necessary to be made on either in the organization of the naval establishment generally, and of the laws for its better government I refer you to the report of the Secretary of the Navy, which is herewith communicated.

The revenue of the Post-Office Department has received a considerable augmentation in the present year. The current receipts will exceed the expenditures, although the transportation of the mail within the year has been much increased. A report of the Postmaster-General, which is transmitted, will furnish in detail the necessary information respecting the administration and present state of this Department.

In conformity with a resolution of Congress of the last session, an invitation was given to General Lafayette to visit the United States, with an assurance that a ship of war should attend at any port of France which he might designate, to receive and convey him across the Atlantic, whenever it might be convenient for him to sail. He declined the offer of the public ship from motives of delicacy, but assured me that he had long intended and would certainly visit our Union in the course of the present year. In August last he arrived at New York, where he was received with the warmth of affection and gratitude to which his very important and disinterested services and sacrifices in our Revolutionary struggle so eminently entitled him. A corresponding sentiment has since been manifested in his favor throughout every portion of our Union, and affectionate invitations have been given him to extend his visits to them. To these he has yielded all the accommodation in his power. At every designated point of rendezvous the whole population of the neighboring country has been assembled to greet him, among whom it has excited in a peculiar manner the sensibility of all to behold the surviving members of our Revolutionary contest, civil and military, who had shared with him in the toils and dangers of the war, many of them in a decrepit state. A more interesting spectacle, it is believed, was never witnessed, because none could be founded on purer principles, none proceed from higher or more disinterested motives. That the feelings of those who had fought and bled with him in a common cause should have been much excited was natural. There are, however, circumstances attending these interviews which pervaded the whole community and touched the breasts of every age, even the youngest among us. There was not an individual present who had not some relative who had not partaken in those scenes, nor an infant who had not heard the relation of them. But the circumstance which was most sensibly felt, and which his presence brought forcibly to the recollection of all, was the great cause in which we were engaged and the blessings which we have derived from our success in it. The struggle was for independence and liberty, public and personal, and in this we succeeded. The meeting with one who had borne so distinguished a part in that great struggle, and from such lofty and disinterested motives, could not fail to affect profoundly every individual and of every age. It is natural that we should all take a deep interest in his future welfare, as we do. His high claims on our Union are felt, and the sentiment universal that they should be met in a generous spirit. Under these impressions I invite your attention to the subject, with a view that, regarding his very important services, losses, and sacrifices, a provision may be made and tendered to him which shall correspond with the sentiments and be worthy the character of the American people.

In turning our attention to the condition of the civilized world, in which the United States have always taken a deep interest, it is gratifying to see how large a portion of it is blessed with peace. The only wars which now exist within that limit are those between Turkey and Greece, in Europe, and between Spain and the new Governments, our neighbors, in this hemisphere. In both these wars the cause of independence, of liberty and humanity, continues to prevail. The success of Greece, when the relative population of the contending parties is considered, commands our admiration and applause, and that it has had a similar effect with the neighboring powers is obvious. The feeling of the whole civilized world is excited in a high degree in their favor. May we not hope that these sentiments, winning on the hearts of their respective Governments, may lead to a more decisive result; that they may produce an accord among them to replace Greece on the ground which she formerly held, and to which her heroic exertions at this day so eminently entitle her?

With respect to the contest to which our neighbors are a party, it is evident that Spain as a power is scarcely felt in it. These new States had completely achieved their independence before it was acknowledged by the United States, and they have since maintained it with little foreign pressure. The disturbances which have appeared in certain portions of that vast territory have proceeded from internal causes, which had their origin in their former Governments and have not yet been thoroughly removed. It is manifest that these causes are daily losing their effect, and that these new States are settling down under Governments elective and representative in every branch, similar to our own. In this course we ardently wish them to persevere, under a firm conviction that it will promote their happiness. In this, their career, however, we have not interfered, believing that every people have a right to institute for themselves the government which, in their judgment, may suit them best. Our example is before them, of the good effect of which, being our neighbors, they are competent judges, and to their judgment we leave it, in the expectation that other powers will pursue the same policy. The deep interest which we take in their independence, which we have acknowledged, and in their enjoyment of all the rights incident thereto, especially in the very important one of instituting their own Governments, has been declared, and is known to the world. Separated as we are from Europe by the great Atlantic Ocean, we can have no concern in the wars of the European Governments nor in the causes which produce them. The balance of power between them, into whichever scale it may turn in its various vibrations, can not affect us. It is the interest of the United States to preserve the most friendly relations with every power and on conditions fair, equal, and applicable to all. But in regard to our neighbors our situation is different. It is impossible for the European Governments to interfere in their concerns, especially in those alluded to, which are vital, without affecting us; indeed, the motive which might induce such interference in the present state of the war between the parties, if a war it may be called, would appear to be equally applicable to us. It is gratifying to know that some of the powers with whom we enjoy a very friendly intercourse, and to whom these views have been communicated, have appeared to acquiesce in them.

The augmentation of our population with the expansion of our Union and increased number of States have produced effects in certain branches of our system which merit the attention of Congress. Some of our arrangements, and particularly the judiciary establishment, were made with a view to the original thirteen States only. Since then the United States have acquired a vast extent of territory; eleven new States have been admitted into the Union, and Territories have been laid off for three others, which will likewise be admitted at no distant day. An organization of the Supreme Court which assigns to the judges any portion of the duties which belong to the inferior, requiring their passage over so vast a space under any distribution of the States that may now be made, if not impracticable in the execution, must render it impossible for them to discharge the duties of either branch with advantage to the Union. The duties of the Supreme Court would be of great importance if its decisions were confined to the ordinary limits of other tribunals, but when it is considered that this court decides, and in the last resort, on all the great questions which arise under our Constitution, involving those between the United States individually, between the States and the United States, and between the latter and foreign powers, too high an estimate of their importance can not be formed. The great interests of the nation seem to require that the judges of the Supreme Court should be exempted from every other duty than those which are incident to that high trust. The organization of the inferior courts would of course be adapted to circumstances. It is presumed that such an one might be formed as would secure an able and faithful discharge of their duties, and without any material augmentation of expense.

The condition of the aborigines within our limits, and especially those who are within the limits of any of the States, merits likewise particular attention. Experience has shown that unless the tribes be civilized they can never be incorporated into our system in any form whatever. It has likewise shown that in the regular augmentation of our population with the extension of our settlements their situation will become deplorable, if their extinction is not menaced. Some well-digested plan which will rescue them from such calamities is due to their rights, to the rights of humanity, and to the honor of the nation. Their civilization is indispensable to their safety, and this can be accomplished only by degrees. The process must commence with the infant state, through whom some effect may be wrought on the parental. Difficulties of the most serious character present themselves to the attainment of this very desirable result on the territory on which they now reside. To remove them from it by force, even with a view to their own security and happiness, would be revolting to humanity and utterly unjustifiable. Between the limits of our present States and Territories and the Rocky Mountains and Mexico there is a vast territory to which they might be invited with inducements which might be successful. It is thought if that territory should be divided into districts by previous agreement with the tribes now residing there and civil governments be established in each, with schools for every branch of instruction in literature and the arts of civilized life, that all the tribes now within our limits might gradually be drawn there. The execution of this plan would necessarily be attended with expense, and that not inconsiderable, but it is doubted whether any other can be devised which would be less liable to that objection or more likely to succeed.

In looking to the interests which the United States have on the Pacific Ocean and on the western coast of this continent, the propriety of establishing a military post at the mouth of Columbia River, or at some other point in that quarter within our acknowledged limits, is submitted to the consideration of Congress. Our commerce and fisheries on that sea and along the coast have much increased and are increasing. It is thought that a military post, to which our ships of war might resort, would afford protection to every interest, and have a tendency to conciliate the tribes to the northwest, with whom our trade is extensive. It is thought also that by the establishment of such a post the intercourse between our Western States and Territories and the Pacific and our trade with the tribes residing in the interior on each side of the Rocky Mountains would be essentially promoted. To carry this object into effect the appropriation of an adequate sum to authorize the employment of a frigate, with an officer of the Corps of Engineers, to explore the mouth of the Columbia River and the coast contiguous thereto, to enable the Executive to make such establishment at the most suitable point, is recommended to Congress.

It is thought that attention is also due to the improvement of this city. The communication between the public buildings and in various other parts and the grounds around those buildings require it. It is presumed also that the completion of the canal from the Tiber to the Eastern Branch would have a very salutary effect. Great exertions have been made and expenses incurred by the citizens in improvements of various kinds; but those which are suggested belong exclusively to the Government, or are of a nature to require expenditures beyond their resources. The public lots which are still for sale would, it is not doubted, be more than adequate to these purposes.

From the view above presented it is manifest that the situation of the United States is in the highest degree prosperous and happy. There is no object which as a people we can desire which we do not possess or which is not within our reach. Blessed with governments the happiest which the world ever knew, with no distinct orders in society or divided interests in any portion of the vast territory over which their dominion extends, we have every motive to cling together which can animate a virtuous and enlightened people. The great object is to preserve these blessings, and to hand them down to the latest posterity. Our experience ought to satisfy us that our progress under the most correct and provident policy will not be exempt from danger. Our institutions form an important epoch in the history of the civilized world. On their preservation and in their utmost purity everything will depend. Extending as our interests do to every part of the inhabited globe and to every sea to which our citizens are carried by their industry and enterprise, to which they are invited by the wants of others, and have a right to go, we must either protect them in the enjoyment of their rights or abandon them in certain events to waste and desolation. Our attitude is highly interesting as relates to other powers, and particularly to our southern neighbors. We have duties to perform with respect to all to which we must be faithful. To every kind of danger we should pay the most vigilant and unceasing attention, remove the cause where it may be practicable, and be prepared to meet it when inevitable.

Against foreign danger the policy of the Government seems to be already settled. The events of the late war admonished us to make our maritime frontier impregnable by a well-digested chain of fortifications, and to give efficient protection to our commerce by augmenting our Navy to a certain extent, which has been steadily pursued, and which it is incumbent upon us to complete as soon as circumstances will permit. In the event of war it is on the maritime frontier that we shall be assailed. It is in that quarter, therefore, that we should be prepared to meet the attack. It is there that our whole force will be called into action to prevent the destruction of our towns and the desolation and pillage of the interior. To give full effect to this policy great improvements will be indispensable. Access to those works by every practicable communication should be made easy and in every direction. The intercourse between every part of our Union should also be promoted and facilitated by the exercise of those powers which may comport with a faithful regard to the great principles of our Constitution. With respect to internal causes, those great principles point out with equal certainty the policy to be pursued. Resting on the people as our Governments do, State and National, with well-defined powers, it is of the highest importance that they severally keep within the limits prescribed to them. Fulfilling that sacred duty, it is of equal importance that the movement between them be harmonious, and in case of any disagreement, should any such occur, a calm appeal be made to the people, and that their voice be heard and promptly obeyed. Both Governments being instituted for the common good, we can not fail to prosper while those who made them are attentive to the conduct of their representatives and control their measures. In the pursuit of these great objects let a generous spirit and national views and feelings be indulged, and let every part recollect that by cherishing that spirit and improving the condition of the others in what relates to their welfare the general interest will not only be promoted, but the local advantage be reciprocated by all.

I can not conclude this communication, the last of the kind which I shall have to make, without recollecting with great sensibility and heartfelt gratitude the many instances of the public confidence and the generous support which I have received from my fellow-citizens in the various trusts with which I have been honored. Having commenced my service in early youth, and continued it since with few and short intervals, I have witnessed the great difficulties to which our Union has been exposed, and admired the virtue and intelligence with which they have been surmounted. From the present prosperous and happy state I derive a gratification which I can not express. That these blessings may be preserved and perpetuated will be the object of my fervent and unceasing prayers to the Supreme Ruler of the Universe.

JAMES MONROE.

SPECIAL MESSAGES.

DECEMBER 6, 1824.

To the House of Representatives of the United States:

Agreeably to a resolution of the House of Representatives of the 13th of May last, requesting the President to cause to be made and submitted to the House on the first day of the next [present] session of Congress a full and complete statement of the exact number of lots belonging to the United States in the city of Washington which have been sold by the public agents for that purpose; when sold, by whom, to whom, and for what price each lot was purchased; what part of the purchase money has been paid, the amount due, and by whom due, and when payable; whether the debts are well secured, and whether the money received has been applied, to what purposes, and by whom, I herewith transmit a report and statements from the Commissioner of Public Buildings, which will afford the information required.

JAMES MONROE.

DECEMBER 13, 1824.

To the House of Representatives of the United States:

In compliance with an act of Congress which originated in the House of Representatives, passed the 26th of May, 1824, "to authorize the President of the United States to enter into certain negotiations relative to lands located under Virginia military land warrants, lying between Ludlow's and Roberts's lines, in the State of Ohio," I herewith transmit a report, with accompanying documents, from the Commissioner of the General Land Office, shewing the measures which have been taken under the provisions of the aforesaid act.

JAMES MONROE.

WASHINGTON, *December 13, 1824*.

The PRESIDENT OF THE SENATE PRO TEMPORE:

I transmit to the Senate a convention, negotiated and signed by Samuel D. Heap, acting consul of the United States, on the part of the United States, and Mahmoud Bashaw, Bey of Tunis, on the 24th day of February last, together with copies of Mr. Heap's correspondence appertaining to the negotiation of the same, for the constitutional consideration of the Senate with regard to its ratification.

JAMES MONROE.

WASHINGTON, *December 13, 1824.*

The PRESIDENT OF THE SENATE OF THE UNITED STATES PRO TEMPORE:

I transmit to the Senate the convention, signed by the plenipotentiaries of the United States and of His Imperial Majesty the Emperor of Russia at St. Petersburg on the 5th (17th) of April last, referred to in my message to both Houses of Congress, together with the documents appertaining to the negotiation of the same, for the constitutional consideration of the Senate with regard to its ratification.

JAMES MONROE.

WASHINGTON, *December 23, 1824.*

To the House of Representatives of the United States:

Agreeably to a resolution of the House of Representatives of the 15th instant, requesting the President to lay before the House a copy of the instructions under which the articles of a treaty with the Cherokee Indians were formed by Daniel Smith and R. J. Meigs, acting as commissioners of the United States, at Telico on the 24th October, 1804, with copies of all the correspondence or other documents relating to that instrument in either of the Executive Departments, with a statement of the causes which prevented an earlier decision upon it, I herewith transmit a report from the Secretary of War, with the documents referred to in it.

JAMES MONROE.

WASHINGTON, *December 23, 1824.*

To the House of Representatives of the United States:

I herewith transmit to the House a report from the Secretary of State, with copies of the correspondence with the Government of France requested by the resolution of the House of the 26th May last.

JAMES MONROE.

DEPARTMENT OF STATE,
Washington, December 23, 1824.

The Secretary of State, to whom has been referred a resolution of the House of Representatives of the 26th of May last, requesting that the President of the United States would lay before that House at the then next session, as early as the public interest would permit, the correspondence which might be held with the Government of France prior to that time on the subject of injuries sustained by citizens of the United States since the year 1806, has the honor of reporting to the President copies of the documents requested by that resolution.

JOHN QUINCY ADAMS.

[Extract of a letter from Mr. Adams (No. 1) to Mr. Sheldon, dated Department of State, Washington, August 13, 1823.]

I have had the honor of receiving your dispatches Nos. 1 and 2, the latter dated the 10th of June. Mr. Gallatin arrived with his family at New York on the 24th of that month.

I inclose herewith copies of the recent correspondence between the Count de Menou, the chargé d'affaires of France, and this Department on various subjects highly interesting to the relations between the two countries.

With regard to the Count's note of the 11th of July, the President received with great satisfaction the testimonial of the Viscount de Chateaubriand to the candor and ability with which Mr. Gallatin has performed the duties of his official station in France. The proposal to renew the negotiation in behalf of the well-founded claims of our citizens upon the French Government in *connection* with a claim on the part of France to special privileges in the ports of Louisiana, which, after a very full discussion, had in the views of this Government been proved utterly groundless, could neither be accepted nor considered as evidence of the same conciliatory spirit. The claims of our citizens are for mere justice; they are for reparation of unquestionable wrongs—for indemnity or restitution of property taken from them or destroyed without shadow or color of right. The claim under the eighth article of the Louisiana convention has nothing to rest upon but a forced construction of the terms of the stipulation, which the American Government considered, and have invariably considered, as totally without foundation. These are elements not to be coupled together in the same negotiation, and while we yet trust to the final sense of justice of France for the adjustment of the righteous claims of our citizens, we still hope that their unquestionable character will ultimately secure to them a consideration unencumbered with other discussions. You will respectfully make this representation to the Viscount de Chateaubriand, with the assurance of the readiness of this Government to discuss the question upon the Louisiana convention further if desired by France, but of our final conviction that it is not to be blended with the claims of our citizens for mere justice.

Count de Menou to Mr. Adams.

[Translation.]

LEGATION OF FRANCE TO THE UNITED STATES,
Washington, July 11, 1823.

The Honorable SECRETARY OF STATE:

His Excellency the Viscount de Chateaubriand, in announcing to me that Mr. Gallatin was about to leave France, expresses his regret at his departure in such terms that I should do him injustice were I not to use his own expressions. "My correspondence with this minister," he remarks to me, "has caused me to appreciate his talents, his ability, and his attachment to the system of friendship that unites the two powers. It is with regret that I suspend my communications with him."

I esteem myself happy, sir, in conveying to you such sentiments toward the representative of the United States in France, and I should have thought that I had but imperfectly apprehended the design of the Viscount de Chateaubriand had I neglected to communicate them to the Federal Government.

The minister for foreign affairs reminds me also on this occasion that Mr. Gallatin having frequently laid before him claims of Americans against the French Government, he had shown himself disposed to enter upon a general negotiation, in which they should be comprehended with claims of French citizens against the Federal Government at the same time with the arrangement relative to the execution of the eighth article of the treaty of Louisiana. The object of his excellency was to arrive at a speedy and friendly disposition of all difficulties that might subsist between the two powers, well assured that France and the United States would be found to have the same views of justice and conciliation.

His excellency regrets that Mr. Gallatin, who, he says, "has convinced him how pleasing and advantageous it is to negotiate with a statesman who exhibits candor and ability in his discussions," did not receive from his Government during his stay in France the necessary powers for this double negotiation. But he informs me that the Government of His Majesty remains always disposed to open it, either with Mr. Gallatin should he return with these powers, or with Mr. Sheldon if the Federal Government should think proper to confer them on him.

I greatly desire, sir, to see these propositions acceded to by the Federal Government and to be able to reply to his excellency, as he expresses his wish that an arrangement putting an end to every subject of discussion might soon be expected.

I pray the Secretary of State to receive the renewed assurance of my high consideration.

The chargé d'affaires of France near the United States,

MENOU.

Mr. Adams to Count de Menou.

DEPARTMENT OF STATE,
Washington, August 12, 1823.

The COUNT DE MENOU,
Chargé d'Affaires from France.

SIR: Your letter of the 11th of last month has been submitted to the consideration of the President of the United States, by whom I am directed to express the high satisfaction that he has felt at the manner in which His Excellency the Viscount de Chateaubriand has noticed in his correspondence with you the temporary absence of Mr. Gallatin from France and the terms of regard and esteem with which he notices the character and conduct of that minister. The anxious desire of the President for the promotion of the good understanding between the United States and France could not be more gratified than by the testimonial of His Most Christian Majesty's Government to the good faith and ability with which the minister of the United States at his Court has performed his official duties.

With regard to the assurance of His Excellency the Viscount de Chateaubriand's disposition to enter upon a negotiation with Mr. Gallatin in the event of his return to France, or with Mr. Sheldon during his absence, concerning the claims of citizens of the United States on the Government of France in connection with an arrangement concerning the eighth article of the Louisiana treaty, I am directed to observe that those subjects rest upon grounds so totally different that the Government of the United States can not consent to connect them together in negotiation.

The claims of the citizens of the United States upon the French Government have been of many years' standing, often represented by successive ministers of the United States, and particularly by Mr. Gallatin during a residence of seven years, with a perspicuity of statement and a force of evidence which could leave to the Government of the United States no desire but that they should have been received with friendly attention and no regret but that they should have proved ineffectual. The justice of these claims has never been denied by France, and while the United States are still compelled to wait for their adjustment, similar and less forceful claims of the subjects of other nations have been freely admitted and liquidated.

A long and protracted discussion has already taken place between the two Governments in relation to the claim of France under the eighth article of the Louisiana convention, the result of which has been a thorough conviction on the part of the American Government that the claim has no foundation in the treaty whatever. The reasons for this conviction have been so fully set forth in the discussion that it was not anticipated a further examination of it would be thought desirable. As a subject of discussion, however, the American Government is willing to resume it whenever it may suit the views of France to present further considerations relating to it; but while convinced that the claim is entirely without foundation, they can not place it on a footing of concurrent negotiation with claims of their citizens, the justice of which is so unequivocal that they have not even been made the subject of denial.

From the attention which His Excellency the Viscount de Chateaubriand has intimated his willingness to give to the consideration of these claims the President indulges the hope that they will be taken into view upon their own merits, and in that hope the representative of the United States at Paris will at an early day be instructed to present them again to the undivided and unconditional sense of the justice of France.

I pray you, sir, to accept the renewed assurance of my distinguished consideration.

JOHN QUINCY ADAMS.

[Extract of a letter from Mr. Sheldon (No. 11) to Mr. Adams, dated Paris, October 16, 1823.]

I took an early occasion after the receipt of your dispatch No. 1, of the 10th August, to communicate the subjects of it in a conversation I had with Viscount de Chateaubriand. His observations in relation to that of the claims, as connected with the pretensions of France under the Louisiana treaty, were of a very general nature and amounted to little more than a repetition of his readiness to enter upon the consideration of whatever subjects of discussion might exist between the two countries and the expression of his satisfaction at the prospect of being soon relieved from the labor which the affairs of Spain had thrown upon him, and having thus more time to devote to those of the United States and others not of the same pressing nature. He avoided any intimation of a disposition to take up the claims by themselves, and it can hardly be expected that the French Government will at this time relax from the ground they have so lately taken upon that point. I informed him that I should communicate in writing an answer to the overture made by Count de Menou at Washington for uniting in a new negotiation this subject with that of the Louisiana treaty, in substance the same as that gentleman had already received there, and should again press upon the French Government the consideration of the claims by themselves; to which he replied that any communication I might make would be received and treated with all the attention to which it was entitled on his part.

Mr. Sheldon to the Viscount de Chateaubriand.

PARIS, *October 11, 1823.*

SIR: Mr. Gallatin, during his residence as minister of the United States in France, had upon various occasions called the attention of His Majesty's Government to the claims of our citizens for the reparation of wrongs sustained by them from the unjust seizure, detention, and confiscation of their property by officers and agents acting under authority of the Government of France. During the past year His Majesty's ministers had consented to enter upon the consideration of these claims, but they proposed to couple with it another subject having no connection with those claims, either in its nature, its origin, or the principles on which it depended—a question of the disputed construction of one of the articles of the treaty of cession of Louisiana, by virtue of which France claimed certain commercial privileges in the ports of that Province. Mr. Gallatin had not received from his Government any authority to connect these two dissimilar subjects in the same negotiation, or, indeed, to treat upon the latter, which had already been very amply discussed at Washington between the Secretary of State of the United States and His Majesty's minister at that place, without producing any result except a conviction on the part of the Government of the United States that the privileges for French vessels, as claimed by the minister of France, never could have been, and were not in fact, conceded by the treaty in question. A stop was then put to the negotiations already commenced in relation to the claims, and with which had been united, on the proposition of the French Government, and as being naturally connected with it, the consideration of certain claims of French citizens on the Government of the United States.

The chargé d'affaires of France at Washington has lately, on behalf of his Government, expressed to that of the United States a wish that this double negotiation might be resumed and that a definitive arrangement might be made as well in relation to the disputed article of the Louisiana treaty as of the subject of the claims upon the one side and upon the other. The Government of the United States has nothing more at heart than to remove by friendly arrangements every subject of difference which may exist between the two countries, and to examine with the greatest impartiality and good faith as well the nature and extent of the stipulations into which they have entered as the appeals to their justice made by individuals claiming reparation for wrongs supposed to have been sustained at their hands.

But these two subjects are essentially dissimilar; there are no points of connection between them; the principles upon which they depend are totally different; they have no bearing upon each other; and the justice which is due to individuals ought not to be delayed or made dependent upon the right or the wrong interpretation by one or the other party of a treaty having for its object the regulation of entirely distinct and different interests.

The reclamations of American citizens upon the Government of France are for mere justice—for the reparation of unquestionable wrongs, indemnity or restitution of property taken from them or destroyed forcibly and without right. They are of ancient date, and justice has been long and anxiously waited for. They have been often represented to the Government of France, and their validity is not disputed. Similar reclamations without greater merit or stronger titles to admission presented by citizens of other nations have been favorably received, examined, and liquidated, and it seems to have been hitherto reserved to those of the United States alone to meet with impediments at every juncture and to seek in vain the moment in which the Government of France could consent to enter upon their consideration. Although the question arising under the eighth article of the Louisiana treaty has already been fully examined, the Government of the United States is ready, if it is desired by France, and if it is thought that any new light can be thrown upon it, to discuss the subject further whenever it shall be presented anew by France to their consideration. But they are convinced that by blending it with the claims not only will no progress be made toward its solution, but that these last, standing upon their own unquestionable character, ought not to be trammeled with a subject to which they are wholly foreign.

I am instructed to bring them anew before your excellency, and to express the hope of the President that His Majesty's Government will not continue to insist upon connecting together two subjects of so different a nature, but that the claims may be taken up on their own merits and receive the consideration which they deserve, unencumbered with other discussions.

I request your excellency to accept the assurance, etc.

D. SHELDON.

[Extracts of a letter from the Secretary of State to Mr. Brown, dated Washington, December 23, 1823.]

You will immediately after your reception earnestly call the attention of the French Government to the claims of our citizens for indemnity.

You will at the same time explicitly make known that this Government can not consent to connect this discussion with that of the pretension raised by France on the construction given by her to the eighth article of the Louisiana cession treaty. The difference in the nature and character of the two interests is such that they can not with propriety be blended together. The claims are of reparation to individuals for their property taken from them by manifest and undisputed wrong. The question upon the Louisiana treaty is a question of *right* upon the meaning of a contract. It has been fully, deliberately, and thoroughly investigated, and the Government of the United States is under the entire and solemn conviction that the pretension of France is utterly unfounded. We are, nevertheless, willing to resume the discussion if desired by France; but to refuse justice to individuals unless the United States will accede to the construction of an article in a treaty contrary to what they believe to be its real meaning would be not only incompatible with the principles of equity, but submitting to a species of compulsion derogatory to the honor of the nation.

[Extract of a letter (No. 2) from James Brown, envoy extraordinary and minister plenipotentiary of the United States, dated April 28, 1824.]

I have in a letter to M. de Chateaubriand, copy of which I have now the honor to send, made an effort to separate the claims of our citizens from the Louisiana question.

Mr. Brown to M. de Chateaubriand.

PARIS, *April 28, 1824.*

His Excellency VISCOUNT DE CHATEAUBRIAND,
Minister of Foreign Affairs, etc.

SIR: In the conference with which your excellency honored me a few days ago I mentioned a subject deeply interesting to many citizens of the United States, on which I have been instructed to address your excellency, and to which I earnestly wish to call your immediate attention.

It is well known to your excellency that my predecessor, Mr. Gallatin, during several years made repeated and urgent applications to His Majesty's Government for the adjustment of claims to a very large amount, affecting the interests of American citizens and originating in gross violations of the law of nations and of the rights of the United States, and that he never could obtain from France either a settlement of those claims or even an examination and discussion of their validity. To numerous letters addressed by him to His Majesty's ministers on that subject either no answers were given or answers which had for their only object to postpone the investigation of the subject. Whilst, however, he indulged the hope that these delays would be abandoned, and that the rights of our citizens, which had been urged for so many years, would at length be taken up for examination, he learned with surprise and regret that His Majesty's Government had determined to insist that they should be discussed in connection with the question of the construction of the eighth article of the Louisiana treaty of cession. Against this determination he strongly but ineffectually remonstrated in a letter to Mr. De Villele, dated the 12th November, 1822.

It is notorious that the Government of the United States, whenever requested by that of His Majesty, have uniformly agreed to discuss any subject presented for their consideration, whether the object has been to obtain the redress of public or private injuries. Acting upon this principle, the question of the eighth article of the Louisiana treaty was, upon the suggestion of the minister of France, made the subject of a voluminous correspondence, in the course of which all the arguments of the parties respectively were fully made known to each other and examined. The result of this discussion has been a thorough conviction on the part of the Government of the United States that the construction of that article of the treaty contended for by France is destitute of any solid foundation and wholly inadmissible. After a discussion so full as to exhaust every argument on that question, the attempt to renew it in connection with the question of the claims of our citizens appeared to the Government of the United States to be a measure so contrary to the fair and regular course of examining controverted points between nations that they instructed Mr. Sheldon, their chargé d'affaires, to prepare and present a note explaining their views of the proceeding, which he delivered on the 11th of October, 1823. To this note no answer has ever been received.

I have the express instructions of the Government again to call the attention of that of His Majesty to this subject, and to insist that the claims of our citizens may continue to be discussed as a distinct question, without connecting it in any way with the construction of the Louisiana treaty. The two subjects are in every respect dissimilar. The difference in the nature and character of the two interests is such as to prevent them from being blended in the same discussion. The claims against France are of reparation to individuals for their property taken from them by undisputed wrong and injustice; the claim of France under the treaty is that of a right founded on a contract. In the examination of these questions the one can impart no light to the other; they are wholly unconnected, and ought on every principle to undergo a distinct and separate examination. To involve in the same investigation the indisputable rights of American citizens to indemnity for losses and the doubtful construction of a treaty can have no other effect than to occasion an indefinite postponement of the reparation due to individuals or a sacrifice on the part of the Government of the United States of a treaty stipulation in order to obtain that reparation. The United States would hope that such an alternative will not be pressed upon them by the Government of His Majesty.

Whilst I indulge a hope that the course to which I have objected will no longer be insisted on by His Majesty's ministers, permit me to renew to your excellency the sincere assurance that the United States earnestly desire that every subject of difference between the two countries should be amicably adjusted and all their relations placed upon the most friendly footing. Although they believe that any further discussion of the eighth article of the Louisiana treaty would be wholly unprofitable, they will be at all times ready to renew the discussion of that article or to examine any question which may remain to be adjusted between them and France.

I request your excellency to accept, etc.

JAMES BROWN.

[Extract of a letter (No. 3) from James Brown to the Secretary of State, dated Paris, May 11, 1824.]

I have the honor to inclose a copy of the answer of the minister of foreign affairs to the letter which I addressed to him on the 27th ultimo, upon the subject of the claims of our citizens against the French Government. You will perceive that no change has been made in the determination expressed to Mr. Gallatin of connecting in the same discussion the question on the eighth article of the Louisiana treaty of cession and the claims of the citizens of the United States against France. In expressing this resolution it has not been considered necessary even to notice the arguments made use of to induce them to adopt a different opinion.

Viscount Chateaubriand to Mr. Brown.

[Translation.]

PARIS, *May 7, 1824.*

SIR: The object of the letter which you did me the honor to address to me on the 28th of April is to recall the affair of American claims, already repeatedly called up by your predecessors, that they may be regulated by an arrangement between the two powers, and that in this negotiation the examination of the difficulties which were raised about the execution of the eighth article of the Louisiana treaty should not be included.

Although the claims made by France upon this last point be of a different nature from those of the Americans, yet no less attention ought to be paid to arrange both in a just and amicable manner.

Our claims upon the eighth article had already been laid before the Federal Government by His Majesty's plenipotentiary when he was negotiating the commercial convention of 24th June, 1822

The negotiators not agreeing upon a subject so important, the King's Government did not wish this difficulty to suspend any longer the conclusion of an arrangement which might give more activity to commerce and multiply relations equally useful to the two powers. It reserves to itself the power of comprehending this object in another negotiation, and it does not renounce in any manner the claim which it urged.

It is for this reason, sir, that my predecessors and myself have constantly insisted that the arrangements to be made upon the eighth article of the Louisiana treaty should be made a part of those which your Government were desirous of making upon other questions still at issue.

It is the intention of His Majesty not to leave unsettled any subject of grave discussion between the two States, and the King is too well convinced of the friendly sentiments of your Government not to believe that the United States will be disposed to agree with France on all the points.

His Majesty authorizes me, sir, to declare to you that a negotiation will be opened with you upon the American claims if this negotiation should also include the French claims, and particularly the arrangements to be concluded concerning the execution of the eighth article of the Louisiana treaty.

Accept, sir, the assurances of the very distinguished consideration with which I have the honor to be, etc.,

CHATEAUBRIAND.

[Extracts of a letter (No. 4) from the Secretary of State to Mr. Brown, dated Department of State, Washington, August 14, 1824.]

The subject which has first claimed the attention of the President has been the result of your correspondence with the Viscount de Chateaubriand in relation to the claims of numerous citizens of the United States upon the justice of the French Government.

I inclose herewith a copy of the report of the Committee on Foreign Relations of the House of Representatives upon several petitions addressed to that body at their last session by some of those claimants and a resolution of the House adopted thereupon.

The President has deliberately considered the purport of M. de Chateaubriand's answer to your note of the 28th of April upon this subject, and he desires that you will renew with earnestness the application for indemnity to our citizens for claims notoriously just and resting upon the same principle with others which have been admitted and adjusted by the Government of France.

In the note of the Viscount de Chateaubriand to you of 7th May it is said that he is authorized to declare a negotiation will be opened with you upon the American claims if this negotiation should also include French claims, and particularly the arrangements to be concluded concerning the execution of the eighth article of the Louisiana treaty

You are authorized in reply to declare that any just claims which subjects of France may have upon the Government of the United States will readily be included in the negotiation, and to stipulate any suitable provision for the examination, adjustment, and satisfaction of them.

But the question relating to the eighth article of the Louisiana treaty is not only of a different character—it can not be blended with that of indemnity for individual claims without a sacrifice on the part of the United States of a principle of right. The negotiation for indemnity presupposes that wrong has been done, that indemnity ought to be made, and the object of any treaty stipulation concerning it can only be to ascertain what is justly due and to make provision for the payment of it. By consenting to connect with such a negotiation that relating to the eighth article of the Louisiana convention the United States would abandon the *principle* upon which the whole discussion concerning it depends. The situation of the parties to the negotiation would be unequal. The United States, asking reparation for admitted wrong, are told that France will not discuss it with them unless they will first renounce their own sense of right to admit and discuss with it a claim the *justice* of which they have constantly denied.

The Government of the United States is prepared to renew the discussion with that of France relating to the eighth article of the Louisiana treaty in any manner which may be desired and by which they shall not be understood to admit that France has *any* claim under it whatever.

Mr. Brown to Mr. Adams (*No. 12*).

PARIS, *August 12, 1824*.

SIR: Some very unimportant changes have taken place in the composition of the ministry. The Baron de Damas, late minister of war, is now minister of foreign affairs; the Marquis de Clermont Tonnese is appointed to the department of war, and the Count Chabrol de Crousal to that of the marine.

These appointments are believed to correspond with the wishes of the president of the Council of Ministers, and do not inspire a hope that our claims will be more favorably attended to than they have been under the former administrations. The interpretation of the eighth article of the Louisiana treaty contended for by France will, I apprehend, be persisted in and all indemnity refused until it shall have been discussed and decided. After the correspondence which has already passed upon that article, it would appear that any further discussion upon it would be wholly unprofitable. With a view, however, of ascertaining the opinions of the minister of foreign affairs, I shall at an early day solicit a conference with him, and inform you of the result.

I have had the honor of receiving your letter recommending the claim of Mr. Kingston to my attention. The difficulties which that claim must experience, from its antiquity and from the operation of the treaty of 1803, can not have escaped your observation. It has also to encounter, in common with all our claims, the obstacle presented by the eighth article, which is found broad enough to be used as a shield to protect France, in the opinion of ministers, from the examination and adjustment of any claim which we can present.

I have the honor to be, with great respect, sir, your most obedient and humble servant,

JAMES BROWN.

Mr. Brown to Mr. Adams (*No. 14*).

PARIS, *September 28, 1824*.

SIR: Little has occurred of importance during the present month, except the death of the King. This event had been anticipated for nearly a year; he had declined gradually, and the affairs of the Government have been for some time almost wholly directed by Monsieur, who on his accession to the throne has declared that his reign would be only a continuation of that of the late King. No change in the policy of the Government is expected, and probably none in the composition of the ministry. The present King is satisfied with Mr. De Villele, who is at its head; and if any of its members should be changed the spirit in which public affairs are directed will not, it is believed, be affected by that circumstance.

The ceremonies attending the change of the Crown have principally occupied the public attention for the last fortnight. It will, I presume, be officially announced by the French minister at Washington, and, according to the forms observed here, will, I understand, require fresh letters of credence for all foreign ministers at this Court, addressed to the new King.

My health has not permitted me (having been confined for some weeks to the bed by a rheumatic affection) to confer with the Baron de Damas on our affairs since his appointment as minister of the foreign department. I should regret this the more if I were not satisfied that the same impulse will direct the decisions of the Government upon these points now as before he had this department in charge, and that no favorable change in those decisions can be expected from any personal influence which might be exerted by the new minister. I shall, however, take the earliest opportunity that my health will allow to mention the subject to him and ascertain what his views of it are.

I have the honor to be, with great respect, sir, your most obedient and humble servant,

JAMES BROWN.

[Extracts of a letter from Mr. James Brown to Mr. Adams (No. 16).]

PARIS, *October 23, 1824.*

The packet ship which sailed from New York on the 1st of September brought me the letter which you did me the honor to address to me on the 14th of August.

In conformity with the instructions contained in that letter, I have addressed one to the Baron de Damas, minister of foreign affairs, a copy of which I now inclose. I expect to receive his answer in time to be sent by the packet which will sail from Havre on the 1st of next month, in which event it may probably reach Washington about the 15th of December.

The recent changes which have been made in the ministry, of which I have already informed you, do not justify any very strong expectation that a change of measures in relation to our affairs at this Court will follow. The same individuals fill different places in the ministry from those which they formerly held, but in all probability adhere to their former opinions in relation to the subjects of discussion between the United States and France. On the point to which my letter to the Baron de Damas particularly relates the Count de Villele has already given his deliberate views in his letters to Mr. Gallatin dated 6th and 15th November, 1822, and I have every reason to believe that they remain unchanged. Having bestowed much attention on the subject, it is probable his opinion will be in a great measure decisive as to the answer which shall be given to my letter. It is the opinion of many well-informed men that in the course of a few months important changes will be made in the composition of the ministry. As these changes, however, will proceed from causes wholly unconnected with foreign affairs, I am by no means sanguine in my expectations that under any new composition of the ministry we may hope for a change of policy as it relates to our claims. The eighth article of the Louisiana treaty will be continually put forward as a bar to our claims and its adjustment urged as often as we renew our claim for indemnity.

The Journal des Débats of this morning states that at a superior council of commerce and of the colonies at which His Majesty yesterday presided Mr. De St. Cricq, president of the bureau de commerce, made a report on the commercial convention of the 24th June, 1822, between the United States and France.

Mr. Brown to Baron de Damas.

PARIS, *October 22, 1824.*

His Excellency BARON DE DAMAS,
Minister of Foreign Affairs, etc.

SIR: I availed myself of the earliest opportunity to transmit to my Government a copy of the letter which I had the honor to address to the Viscount de Chateaubriand on the 28th day of April last, together with a copy of his answer to that letter, dated 7th of May.

After a candid and deliberate consideration of the subject of that correspondence, my Government has sent me recent instructions to renew with earnestness the application, already so frequently and so ineffectually made, for indemnity to our citizens for claims notoriously just, and resting on the same principles with others which have been admitted and adjusted by the Government of France.

In reply to that part of the Viscount de Chateaubriand's letter in which he offers to open with me a negotiation upon American claims if that negotiation should also include French claims, and particularly the arrangements to be concluded concerning the eighth article of the Louisiana treaty, I have been instructed to declare that any just claims which the subjects of France may have upon the Government of the United States will readily be embraced in the negotiation, and that I am authorized to stipulate any suitable provision for the examination, adjustment, and satisfaction of them.

The question relating to the eighth article of the Louisiana treaty is viewed by my Government as one of a very different character. It can not be blended with that of indemnity for individual claims without a sacrifice on the part of the United States of a principle of right. Every negotiation for indemnity necessarily presupposes that some wrong has been done, and that indemnity ought to be made; and the object of every treaty stipulation respecting it can only be to ascertain the extent of the injury, and to make provision for its adequate reparation. This is precisely the nature of the negotiation for American claims which has been for so many years the subject of discussion between the Governments of the United States and of France. The wrongs done to our citizens have never been denied, whilst their right to indemnity has been established by acts done by the French Government in cases depending upon the same principles under which they derive their claim. By consenting to connect with such a negotiation that relating to the eighth article of the Louisiana treaty the United States would abandon the principle upon which the whole discussion depends. When asking for reparation for acknowledged wrong the United States have been told that France will not discuss it with them unless they will first renounce their own sense of right and admit and discuss in connection with it a claim the justice of which they have hitherto constantly denied. In any negotiation commenced under such circumstances the situation of the parties would be unequal. By consenting to connect the pretensions of France under the eighth article of the Louisiana treaty with claims for indemnity for acknowledged injustice and injury the United States would be understood as admitting that those pretensions were well founded; that wrong had been done to France for which reparation ought to be made. The Government of the United States, not having yet been convinced that this is the case, can not consent to any arrangement which shall imply an admission so contrary to their deliberate sense of right.

I am authorized and prepared on behalf of the United States to enter upon a further discussion of the eighth article of the Louisiana treaty in any manner which may be desired, and by which they shall not be understood previously to admit that the construction of that article claimed by France is well founded; and also to renew the separate negotiation for American claims, embracing at the same time all just claims which French subjects may have upon the Government of the United States.

The change which has lately taken place in His Majesty's department of foreign affairs encourages the hope that this important subject will be candidly reconsidered; that the obstacles which have arrested the progress of the negotiation may be removed, and that the subjects of contestation between the two Governments may be ultimately adjusted upon such principles as may perpetuate the good understanding and harmony which have so long subsisted between the United States and France.

Should I, however, be disappointed in the result of this application, it is to be seriously apprehended that as the United States have not hitherto seen in the course of the discussion any just claim of France arising from the eighth article of the Louisiana treaty, so in the persevering refusal of the French Government to discuss and adjust the well-founded claims of citizens of the United States to indemnity for wrongs unless in connection with one which they are satisfied is unfounded the United States will ultimately perceive only a determination to deny justice to the claimants.

Permit me respectfully to request that at as early a day as your convenience will allow your excellency will favor me with an answer to this letter.

I embrace with pleasure this occasion to offer to your excellency the renewed assurance, etc.

JAMES BROWN.

WASHINGTON, *December 24, 1824.*

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives of the 23d December, 1823, requesting that a negotiation should be opened with the British Government "for the cession of so much land on the island of Abaco at or near the Hole-in-the-Wall, and on such other places within the acknowledged dominions of that power on the islands, keys, or shoals of the Bahama Banks as may be necessary for the erection and support of light-houses, beacons, buoys, or floating lights for the security of navigation over or near the said banks, and to be used solely for that purpose," directions were given to the minister of the United States at London on the 1st of January, 1824, to communicate the purport of that resolution to the Government of Great Britain with a view to their acceding to the wish of this; and I transmit to the House copies of Mr. Rush's correspondence upon this subject, communicating the result of his application to the British Government.

JAMES MONROE.

WASHINGTON, *December 28, 1824.*

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives of the 27th instant, requesting information explanatory of the character and objects of the visit of the naval officer of the United States commanding in the West Indies to the town of Faxyardo, in the island of Porto Rico, on the —— day of November last, I herewith transmit a report of the Secretary of the Navy, with a letter from Commodore Porter, which contains all the information in possession of the Executive on the subject.

Deeming the transactions adverted to of high importance, an order has been sent to Commodore Porter to repair hither without delay, that all the circumstances connected therewith may be fully investigated.

JAMES MONROE.

WASHINGTON, *January 5, 1825*.

To the Senate and House of Representatives of the United States:

As the term of my service in this high trust will expire at the end of the present session of Congress, I think it proper to invite your attention to an object very interesting to me, and which in the movement of our Government is deemed on principle equally interesting to the public. I have been long in the service of my country and in its most difficult conjunctures, as well abroad as at home, in the course of which I have had a control over the public moneys to a vast amount. If in the course of my service it shall appear on the most severe scrutiny, which I invite, that the public have sustained any loss by any act of mine, or of others for which I ought to be held responsible, I am willing to bear it. If, on the other hand, it shall appear on a view of the law and of precedents in other cases that justice has been withheld from me in any instance, as I have believed it to be in many, and greatly to my injury, it is submitted whether it ought not to be rendered. It is my wish that all matters of account and claims between my country and myself be settled with that strict regard to justice which is observed in settlements between individuals in private life. It would be gratifying to me, and it appears to be just, that the subject should be now examined in both respects with a view to a decision hereafter. No bill would, it is presumed, be presented for my signature which would operate either for or against me, and I would certainly sanction none in my favor. While here I can furnish testimony, applicable to any case, in both views, which a full investigation may require, and the committee to whom the subject may be referred, by reporting facts now with a view to a decision after my retirement, will allow time for further information and due consideration of all matters relating thereto. Settlements with a person in this trust, which could not be made with the accounting officers of the Government, should always be made by Congress and before the public. The cause of the delay in presenting these claims will be explained to the committee to whom the subject may be referred. It will, I presume, be made apparent that it was inevitable; that from the peculiar circumstances attending each case Congress alone could decide on it, and that from considerations of delicacy it would have been highly improper for me to have sought it from Congress at an earlier period than that which is now proposed—the expiration of my term in this high trust.

Other considerations appear to me to operate with great force in favor of the measure which I now propose. A citizen who has long served his country in its highest trusts has a right, if he has served with fidelity, to enjoy undisturbed tranquillity and peace in his retirement. This he can not expect to do unless his conduct in all pecuniary concerns shall be placed by severe scrutiny on a basis not to be shaken. This, therefore, forms a strong motive with me for the inquiry which I now invite. The public may also derive considerable advantage from the precedent in the future movement of the Government. It being known that such scrutiny was made in my case, it may form a new and strong barrier against the abuse of the public confidence in future.

JAMES MONROE.

WASHINGTON, *January 10, 1825*.

To the House of Representatives of the United States:

I should hasten to communicate to you the documents called for by the resolution of the House of Representatives of the 4th instant, relating to the conduct of the officers of the Navy of the United States on the Pacific Ocean and of other public agents in South America, if such a communication might now be made consistently with the public interest or with justice to the parties concerned. In consequence of several charges which have been alleged against Commodore Stewart, touching his conduct while commanding the squadron of the United States on that sea, it has been deemed proper to suspend him from duty and to subject him to trial on these charges. It appearing also that some of those charges have been communicated to the Department by Mr. Prevost, political agent at this time of the United States at Peru, and heretofore at Buenos Ayres and Chile, and apparently with his sanction, and that charges have likewise been made against him by citizens of the United States engaged in commerce in that quarter, it has been thought equally just and proper that he should attend here, as well to furnish the evidence in his possession applicable to the charges exhibited against Commodore Stewart as to answer such as have been exhibited against himself.

In this stage the publication of those documents might tend to excite prejudices which might operate to the injury of both. It is important that the public servants in every station should perform their duty with fidelity, according to the injunctions of the law and the orders of the Executive in fulfillment thereof. It is peculiarly so that this should be done by the commanders of our squadrons, especially on distant seas, and by political agents who represent the United States with foreign powers, for reasons that are obvious in both instances. It is due to their rights and to the character of the Government that they be not censured without just cause, which can not be ascertained until, on a view of the charges, they are heard in their defense, and after a thorough and impartial investigation of their conduct. Under these circumstances it is thought that a communication at this time of those documents would not comport with the public interest nor with what is due to the parties concerned.

JAMES MONROE.

WASHINGTON, *January 13, 1825.*

To the Senate of the United States:

In compliance with two resolutions of the Senate, the first of the 21st and the second of the 23d December last, requesting information respecting the injuries which have been sustained by our citizens by piratical depredations, and other details connected therewith, and requesting also information of the measures which have been adopted for the suppression of piracy, and whether in the opinion of the Executive it will not be necessary to adopt other means for the accomplishment of the object, and, in that event, what other means it will be most advisable to recur to, I herewith transmit a report from the Secretary of State, and likewise a report from the Secretary of the Navy, with the documents referred to in each.

On the very important question submitted to the Executive as to the necessity of recurring to other more effectual means for the suppression of a practice so destructive of the lives and property of our citizens, I have to observe that three expedients occur—one by the pursuit of the offenders to the settled as well as the unsettled parts of the island from whence they issue, another by reprisal on the property of the inhabitants, and a third by the blockade of the ports of those islands. It will be obvious that neither of these measures can be resorted to in a spirit of amity with Spain otherwise than in a firm belief that neither the Government of Spain nor the government of either of the islands has the power to suppress that atrocious practice, and that the United States interposed their aid for the accomplishment of an object which is of equal importance to them as well as to us. Acting on this principle, the facts which justify the proceeding being universally known and felt by all engaged in commerce in that sea, it may fairly be presumed that neither will the Government of Spain nor the government of either of those islands complain of a resort to either of those measures, or to all of them, should such resort be necessary. It is therefore suggested that a power commensurate with either resource be granted to the Executive, to be exercised according to his discretion and as circumstances may imperiously require. It is hoped that the manifestation of a policy so decisive will produce the happiest result; that it will rid these seas and this hemisphere of this practice. This hope is strengthened by the belief that the Government of Spain and the governments of the islands, particularly of Cuba, whose chief is known here, will faithfully cooperate in such measures as may be necessary for the accomplishment of this very important object. To secure such cooperation will be the earnest desire and, of course, the zealous and persevering effort of the Executive.

JAMES MONROE.

WASHINGTON, *January 17, 1825.*

To the Senate of the United States:

I transmit to the Senate, for its advice and consent as to the ratification, a treaty which has been concluded by a commissioner duly authorized for the purpose with the Quapaw Indians in Arkansas for the cession of their claim to the lands in that Territory. I transmit also a report from the Secretary of War, with other documents, relating to this subject.

JAMES MONROE.

JANUARY 17, 1825.

To the Senate of the United States:

Agreeably to the resolution of the Senate of 19th May last, requesting the President to cause to be laid before the Senate a report "shewing the amount of duties which shall have accrued on importations into the United States for the three quarters of a year ending June 30, 1824; also the amount of duties which would have accrued on the same importations at such higher rates of duty as may be imposed by any act of the present session of Congress," I herewith transmit a report from the Secretary of the Treasury, which contains the information required.

JAMES MONROE.

WASHINGTON, *January 18, 1825.*

To the Senate and House of Representatives of the United States:

I communicate herewith to both Houses of Congress copies of the convention between the United States and His Majesty the Emperor of all the Russias, concluded at St. Petersburg on the 5th (17th) of April last, which has been duly ratified on both sides, and the ratifications of which were exchanged on the 11th instant.

JAMES MONROE.

WASHINGTON, *January 20, 1825.*

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives of the 19th of December, 1822, requesting the President to communicate "what progress has been made in the execution of the act of the last session entitled 'An act to abolish the Indian trading establishments,' with a report from the factories, respectively, as the same may be made to him," I herewith transmit a report from the Secretary of the Treasury, with documents, which contains the information requested.

JAMES MONROE.

WASHINGTON, *January 27, 1825.*

To the Senate and House of Representatives of the United States:

Being deeply impressed with the opinion that the removal of the Indian tribes from the lands which they now occupy within the limits of the several States and Territories to the country lying westward and northward thereof, within our acknowledged boundaries, is of very high importance to our Union, and may be accomplished on conditions and in a manner to promote the interest and happiness of those tribes, the attention of the Government has been long drawn with great solicitude to the object. For the removal of the tribes within the limits of the State of Georgia the motive has been peculiarly strong, arising from the compact with that State whereby the United States are bound to extinguish the Indian title to the lands within it whenever it may be done peaceably and on reasonable conditions. In the fulfillment of this compact, I have thought that the United States should act with a generous spirit; that they should omit nothing which should comport with a liberal construction of the instrument and likewise be in accordance with the just rights of those tribes. From the view which I have taken of the subject I am satisfied that in the discharge of these important duties in regard to both the parties alluded to the United States will have to encounter no conflicting interests with either. On the contrary, that the removal of the tribes from the territory which they now inhabit to that which was designated in the message at the commencement of the session, which would accomplish the object for Georgia, under a well-digested plan for their government and civilization, which should be agreeable to themselves, would not only shield them from impending ruin, but promote their welfare and happiness. Experience has clearly demonstrated that in their present state it is impossible to incorporate them in such masses, in any form whatever, into our system. It has also demonstrated with equal certainty that without a timely anticipation of and provision against the dangers to which they are exposed, under causes which it will be difficult, if not impossible, to control, their degradation and extermination will be inevitable.

The great object to be accomplished is the removal of these tribes to the territory designated on conditions which shall be satisfactory to themselves and honorable to the United States. This can be done only by conveying to each tribe a good title to an adequate portion of land to which it may consent to remove, and by providing for it there a system of internal government which shall protect their property from invasion, and, by the regular progress of improvement and civilization, prevent that degeneracy which has generally marked the transition from the one to the other state.

I transmit herewith a report from the Secretary of War, which presents the best estimate which can be formed, from the documents in that Department, of the number of Indians within our States and Territories and of the amount of lands held by the several tribes within each; of the state of the country lying northward and westward thereof, within our acknowledged boundaries; of the parts to which the Indian title has already been extinguished, and of the conditions on which other parts, in an amount which may be adequate to the object contemplated, may be obtained. By this report it appears that the Indian title has already been extinguished to extensive tracts in that quarter, and that other portions may be acquired to the extent desired on very moderate conditions. Satisfied I also am that the removal proposed is not only practicable, but that the advantages attending it to the Indians may be made so apparent to them that all the tribes, even those most opposed, may be induced to accede to it at no very distant day.

The digest of such a government, with the consent of the Indians, which should be endowed with sufficient power to meet all the objects contemplated—to connect the several tribes together in a bond of amity and preserve order in each; to prevent intrusions on their property; to teach them by regular instruction the arts of civilized life and make them a civilized people—is an object of very high importance. It is the powerful consideration which we have to offer to these tribes as an inducement to relinquish the lands on which they now reside and to remove to those which are designated. It is not doubted that this arrangement will present considerations of sufficient force to surmount all their prejudices in favor of the soil of their nativity, however strong they may be. Their elders have sufficient intelligence to discern the certain progress of events in the present train, and sufficient virtue, by yielding to momentary sacrifices, to protect their families and posterity from inevitable destruction. They will also perceive that they may thus attain an elevation to which as communities they could not otherwise aspire.

To the United States the proposed arrangement offers many important advantages in addition to those which have been already enumerated. By the establishment of such a government over these tribes with their consent we become in reality their benefactors. The relation of conflicting interests which has heretofore existed between them and our frontier settlements will cease. There will be no more wars between them and the United States. Adopting such a government, their movement will be in harmony with us, and its good effect be felt throughout the whole extent of our territory to the Pacific. It may fairly be presumed that, through the agency of such a government, the condition of all the tribes inhabiting that vast region may be essentially improved; that permanent peace may be preserved with them, and our commerce be much extended.

With a view to this important object I recommend it to Congress to adopt, by solemn declaration, certain fundamental principles in accord with those above suggested, as the basis of such arrangements as may be entered into with the several tribes, to the strict observance of which the faith of the nation shall be pledged. I recommend it also to Congress to provide by law for the appointment of a suitable number of commissioners who shall, under the direction of the President, be authorized to visit and explain to the several tribes the objects of the Government, and to make with them, according to their instructions, such arrangements as shall be best calculated to carry those objects into effect.

A negotiation is now depending with the Creek Nation for the cession of lands held by it within the limits of Georgia, and with a reasonable prospect of success. It is presumed, however, that the result will not be known during the present session of Congress. To give effect to this negotiation and to the negotiations which it is proposed to hold with all the other tribes within the limits of the several States and Territories on the principles and for the purposes stated, it is recommended that an adequate appropriation be now made by Congress.

JAMES MONROE.

WASHINGTON, *January 27, 1825.*

To the Senate of the United States:

I transmit to the Senate a treaty concluded in this city with a deputation from the Choctaw Indians, accompanied with the report from the Secretary of War, with a copy of the correspondence connected with the negotiations, for the advice and consent of the Senate.

JAMES MONROE.

WASHINGTON, *February 2, 1825.*

To the Senate and House of Representatives of the United States:

I communicate herewith to both Houses of Congress copies of the alterations in the treaty of peace and friendship of August, 1797, between the United States and the Bashaw Bey of Tunis, concluded at the Palace of Bardo, near Tunis, on the 24th of February last, and of treaties between the United States and the Sock and Fox tribes of Indians and the Ioway tribe of Indians, concluded at the city of Washington on the 4th of August last, which have been duly ratified.

JAMES MONROE.

WASHINGTON, *February 4, 1825.*

The PRESIDENT PRO TEMPORE OF THE SENATE:

It appearing by certain provisions contained in a late act of the general assembly of Virginia, entitled "An act incorporating the Chesapeake and Ohio Canal Company," that the assent of Congress will be necessary to carry the said act into effect, I herewith transmit a copy thereof, that it may be considered with a view to the object contemplated.

JAMES MONROE.

[The same message was sent to the House of Representatives.]

WASHINGTON, *February 7, 1825.*

To the House of Representatives of the United States:

I transmit herewith to the House a report from the Secretary of State, with copies of the correspondence relating to the claims of the citizens of the United States upon the Government of the Netherlands, requested by a resolution of the House of the 18th of January last.

JAMES MONROE.

WASHINGTON, *February 11, 1825.*

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives of January 5, I herewith transmit a report from the Secretary of the Navy, with copies of the proceedings of the courts-martial in the cases of Lieutenants Weaver and Conner.

JAMES MONROE.

WASHINGTON, *February 14, 1825.*

To the Senate and House of Representatives of the United States:

I herewith transmit a report from the Secretary of War, with a report to him by the Chief Engineer, of the examination which has been made by the Board of Engineers for Internal Improvement, in obedience to their instructions, of the country between the Potomac and Ohio rivers, between the latter and Lake Erie, between the Allegheny and Schuylkill rivers, the Delaware and the Raritan, between Buzzards and Barnstable bays, and the Narraganset roads and Boston Harbor, with explanatory observations on each route. From the view which I have taken of these reports I contemplate results of incalculable advantage to our Union, because I see in them the most satisfactory proof that certain impediments which had a tendency to embarrass the intercourse between some of its most important sections may be removed without serious difficulty, and that facilities may be afforded in other quarters which will have the happiest effect. Of the right in Congress to promote these great results by the appropriation of the public money, in harmony with the States to be affected by them, having already communicated my sentiments fully and on mature consideration, I deem it unnecessary to enlarge at this time.

JAMES MONROE.

WASHINGTON, *February 16, 1825.*

To the House of Representatives of the United States:

I transmit to the House of Representatives a report from the Secretary of State, containing the information called for by their resolution of the 1st of this month, touching the capture and detention of American fishermen during the last season.

JAMES MONROE.

WASHINGTON, *February 17, 1825.*

To the House of Representatives of the United States:

I herewith transmit to the House a report from the Secretary of State, with copies of the correspondence with the Government of France, requested by the resolution of the House of the 25th of January last.

JAMES MONROE.

WASHINGTON, *February 17, 1825.*

To the Senate and House of Representatives of the United States:

I invite the attention of Congress to the peculiar situation of this District in regard to the exposure of its inhabitants to contagious diseases from abroad, against which it is thought that adequate provision should now be made. The exposure being common to the whole District, the regulation should apply to the whole, to make which Congress alone possesses the adequate power. That the regulation should be made by Congress is the more necessary from the consideration that this being the seat of the Government, its protection against such diseases must form one of its principal objects.

JAMES MONROE.

WASHINGTON, *February 21, 1825.*

To the Senate and House of Representatives of the United States:

I transmit herewith a report from the Secretary of War, with a report to him from the Third Auditor, of the settlement in the amount stated of the claims of the State of Massachusetts for services rendered by the militia of that State in the late war, the payment of which has hitherto been prevented by causes which are well known to Congress. Having communicated my sentiments on this subject fully in a message bearing date on the 23d of February, 1824, it is unnecessary to repeat in detail here what I there advanced. By recurring to that message and to the documents referred to in it it will be seen that the conduct of the executive of that State in refusing to place the militia thereof at that difficult conjuncture under the direction of the Executive of the United States, as it was bound to do by a fair construction of the Constitution, and as the other States did, is the great cause to which the difficulty adverted to is to be ascribed. It will also be seen on a view of those documents that the executive of the State was warned at the time if it persevered in the refusal that the consequences which have followed would be inevitable; that the attitude assumed by the State formed a case which was not contemplated by the existing laws of the United States relating to militia services; that the payment of the claims of the State for such services could be provided for by Congress only and by a special law for the purpose. Having made this communication while acting in the Department of War to the governor of Massachusetts, with the sanction and under the direction of my enlightened and virtuous predecessor, it would be improper in any view which may be taken of the subject for me to change the ground then assumed, to withdraw this great question from the consideration of Congress, and to act on it myself. Had the Executive been in error, it is entitled to censure, making a just allowance for the motive which guided it. If its conduct was correct, the ground then assumed ought to be maintained by it. It belongs to Congress alone to terminate this distressing incident on just principles, with a view to the highest interests of our Union.

From the view which I have taken of the subject I am confirmed in the opinion that Congress should now decide on the claim and allow to the State such portions thereof as are founded on the principles laid down in the former message. If those principles are correct, as on great consideration I am satisfied they are, it appears to me to be just in itself and of high importance that the sums which may be due in conformity therewith should no longer be withheld from the State.

JAMES MONROE.

WASHINGTON, *February 21, 1825*.

The PRESIDENT OF THE SENATE PRO TEMPORE:

I transmit to the Senate a convention, signed by the plenipotentiaries of the United States and of the Republic of Colombia at Bogota on the 10th of December, 1824, together with the documents appertaining to the negotiation of the same, for the constitutional consideration of the Senate with regard to its ratification.

JAMES MONROE.

WASHINGTON, *February 21, 1825*.

The PRESIDENT OF THE SENATE PRO TEMPORE:

I transmit to the Senate a convention of general peace, amity, navigation, and commerce, signed by the plenipotentiaries of the United States and of the Republic of Colombia at Bogota on the 3d of October, 1824, together with the documents appertaining to the negotiation of the same, for the constitutional consideration of the Senate with regard to its ratification.

JAMES MONROE.

WASHINGTON, *February 23, 1825*.

To the House of Representatives:

I transmit to the House of Representatives a further report from the Secretary of State, in pursuance of their resolution of the 1st instant, with the papers to which it refers, upon the subject of the capture and detention of American fishermen the past season in the Bay of Fundy.

JAMES MONROE.

WASHINGTON, *February 25, 1825*.

To the Senate and House of Representatives:

I communicate herewith to both Houses of Congress copies of the treaties between the United States and the Quapaw Nation of Indians, concluded at Harrington's, in the Territory of Arkansas, on the 15th day of

November last, and between the United States and the Choctaw Nation of Indians, concluded at the city of Washington on the 20th day of January last, which have been duly ratified.

JAMES MONROE.

WASHINGTON, *February 26, 1825.*

To the Senate and House of Representatives of the United States:

Just before the termination of the last session an act entitled "An act concerning wrecks on the coast of Florida," which then passed, was presented to me with many others and approved, and, as I thought, signed. A report to that effect was then made to Congress. It appeared, however, after the adjournment that the evidence of such approbation had not been attached to it. Whether the act may be considered in force under such circumstances is a point on which it belongs not to me to decide. To remove all doubt on the subject, I submit to the consideration of Congress the propriety of passing a declaratory act to that effect.

JAMES MONROE.

WASHINGTON, *February 28, 1825.*

To the Senate of the United States:

I transmit to the Senate, for the exercise of its constitutional power, a treaty lately concluded at the Indian Springs, by commissioners of the United States duly authorized, with the chiefs of the Creek Nation, assembled there in council, with the documents connected therewith.

JAMES MONROE.

PROCLAMATION.

[From Senate Journal, Eighteenth Congress, second session, p. 269.]

WASHINGTON, *January 19, 1825.*

The President of the United States to ——, Senator for the State of ——:

Certain matters touching the public good requiring that the Senate of the United States should be convened on Friday, the 4th day of March next, you are desired to attend at the Senate Chamber, in the city of Washington, on that day, then and there to receive and deliberate on such communications as shall be made to you.

JAMES MONROE.

QUESTIONS.

1. What induced the United States to recognize the independence of Mexico and the South American Republics? Page 687.
2. What nation prevented the landing of our ambassador to the Court of Spain? Page 780.
3. When did Congress take up the question of clothing the army with articles manufactured in the United States? Pages 635, 685.
4. What noted American general invaded the territory of a neutral neighbor? Page 611.
5. What was the attitude of the United States in the war between Spain and her colonies in 1817? Page 582.
6. What great battle was fought in the War of 1812 after peace had been declared? Opposite page 618.
7. Why is it necessary that the grades of our navy should correspond to those of other nations? Page 783.
8. What was the earliest agreement between England and the United States for limiting the armaments on the Great Lakes? Page 605.
9. When and by whom was the longitude of Washington accurately determined? Pages 680, 688.
10. What were the naval activities of the year 1818? Page 615.
11. What naval officer was largely instrumental in suppressing piracy among the West Indies and in the Gulf of Mexico? Page 782.
12. Who said, "Don't give up the ship," and when? Opposite page 634.
13. When did Chili become independent? Page 686.
14. How was the Republic of Colombia formed? Page 686.
15. By what other South American countries was Peru joined in its revolution against Spain? Page 686.
16. With what European nation was our first reciprocal commercial treaty signed? Page 820.

SUGGESTIONS.

Monroe's advocacy of internal improvements, especially good roads and canals, is most interesting, coming from that period and viewed in the light of subsequent developments. Pages 587, 759, 824, 825.

Monroe made most notable history by the pronouncement of the "Monroe Doctrine." For the precise text of the Monroe Doctrine, see page 787; but the reading of the entire seventh annual message, in which the Doctrine is enunciated, will repay the time spent. Pages 776-789.

For the story of the Monroe Doctrine, see Monroe Doctrine, Encyclopedic Index.

The Seminole War disturbed Monroe's administration. Pages 600, 611.

The Florida Purchase marked an important step in the progress of the country. Pages 624, 672.

The larger part of Monroe's administration was known as "The Era of Good Feeling," q. v., Encyclopedic Index.

NOTE.

For further suggestions on Monroe's administration, see Monroe, James, Encyclopedic Index.

By reading the Foreign Policy of each President, and by scanning the messages as to the state of the nation, a thorough knowledge of the history of the United States will be acquired from the most authentic sources; because, as has been said, "Each President reviews the past, depicts the present and forecasts the future of the nation."

John Quincy Adams

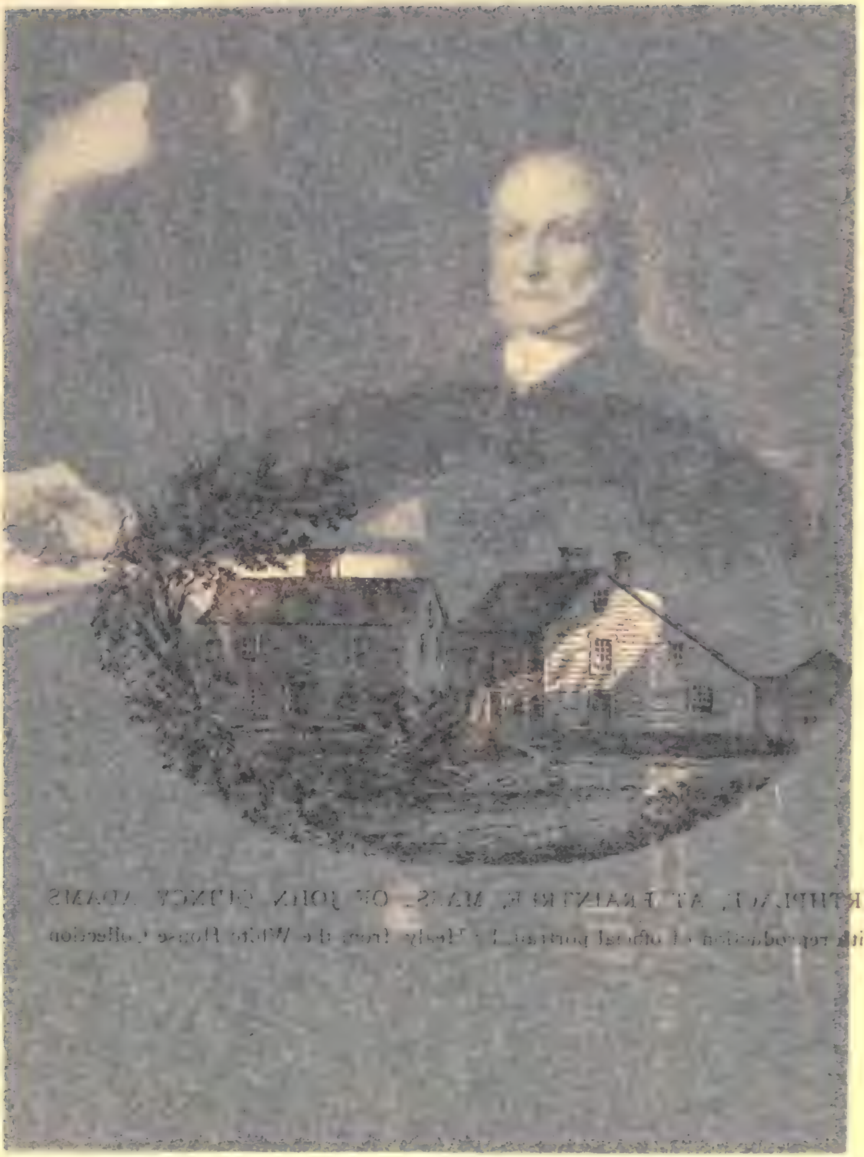
March 4, 1825, to March 4, 1829

SEE ENCYCLOPEDIC INDEX.

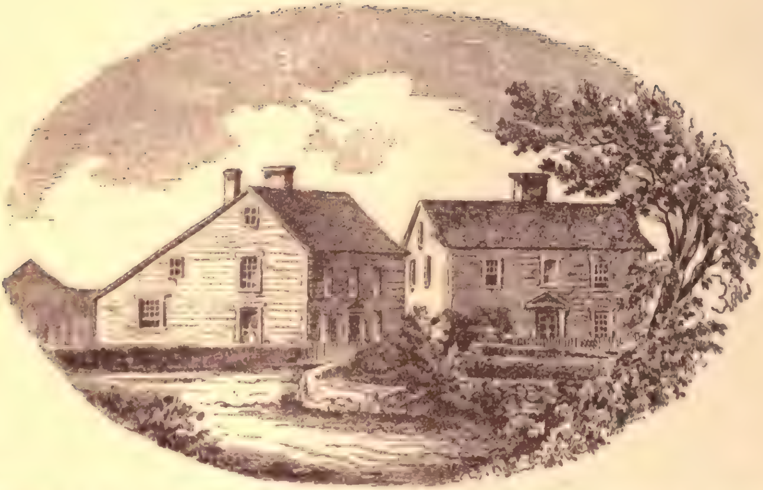
The Encyclopedic Index is not only an index to the other volumes, not only a key that unlocks the treasures of the entire publication, but it is in itself an alphabetically arranged brief history or story of the great controlling events constituting the History of the United States.

Under its proper alphabetical classification the story is told of every great subject referred to by any of the Presidents in their official Messages, and at the end of each article the official utterances of the Presidents themselves are cited upon the subject, so that you may readily turn to the page in the body of the work itself for this original information.

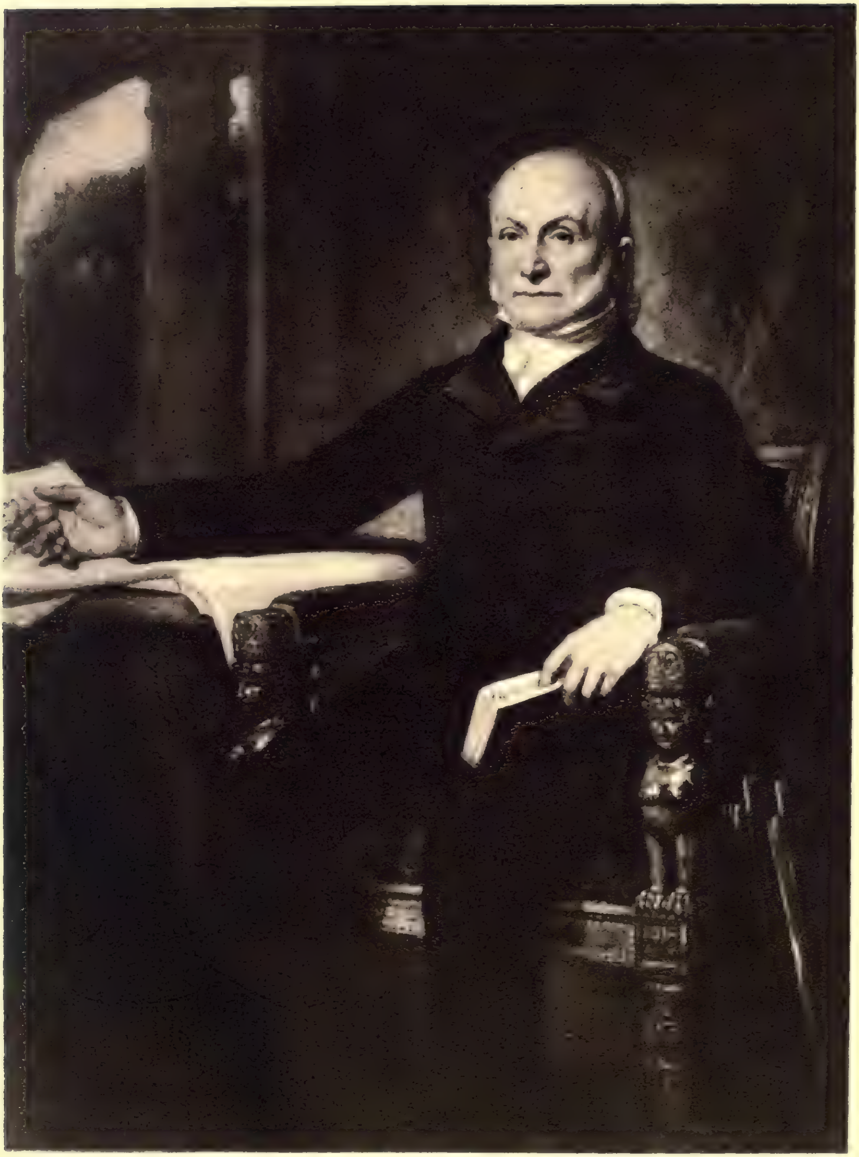
Next to the possession of knowledge is the ability to turn at will to where knowledge is to be found.



John Quincy Adams



BIRTHPLACE, AT BRAINTREE, MASS., OF JOHN QUINCY ADAMS
With reproduction of official portrait, by Healy, from the White House Collection



John Quincy Adams

ADAMS

Among the long line of illustrious men, who have been honored by the American people as the Chief Magistrates of the Nation, few are so rarely mentioned at the present day as John Quincy Adams. The popular mind prefers rather to associate the names of Washington, Jefferson, Jackson, Lincoln and Grant when reviewing the great Presidents, whose life-works adorn the history of our country. Yet, when carefully and impartially studied, either as statesman, diplomat or scholar, none stand higher than John Quincy Adams; none were longer in active political life or recognized by so many administrations, and none were ever honored with so many exalted positions, while none had greater opportunities for the study of both American and European statecraft, or were closer students of or associated with so many great questions affecting the creation, the safety, the advancement or the honor and glory of our Nation. He was present at its birth.

Even as a child he heard the cannon booming on Bunker Hill, and saw the burning of Charlestown. When but eleven years of age he was taken by his distinguished father, afterward President himself, to Paris. Here he had the benefit of the elementary French schools.

When only fourteen years of age he was removed to St. Petersburg, Russia. After one year's attention to these duties he determined to visit Stockholm, where he remained during one winter and afterward devoted many months in travel. At this time, and with all this varied experience, he was but sixteen years of age. With such an alluring and fascinating career in one so young, the disposition and power to undertake and overcome the difficulties, which confront every young man, who must later on earn his own livelihood, would seem to have been greatly, if not entirely, impaired. Not so, however, with young Adams. "I am determined to get my own living and to be dependent on no one," were his words. With this resolution he returned to his own land, and began his great political career.

I make the claim now for John Quincy Adams, that to him more, perhaps, than to any other man are we indebted for the successful negotiations which in 1846 recognized the American title to this vast domain, once claimed by Spain, west of the Rocky Mountains and north of the 42d parallel. So impressed was Mr. Adams with the far-reaching importance of his great diplomatic victory, known as the Florida Treaty of 1819, that in the last days of his long and illustrious life, he would fondly revert to that great event, and in his memoirs he says: "I consider the signature of the treaty as the most important event in my life."

LOUISA CATHERINE JOHNSON was born and educated in London. She met John Quincy Adams there, and they were married in 1797. His father, becoming President, transferred him to Berlin, whither she accompanied him. During Jefferson's terms America was their home, after which Monroe appointed Mr. Adams Minister to Russia, where nearly six years were spent. In 1815 he was made Minister to England. When Napoleon was returning from Elba, Mrs. Adams, traveling from Russia to rejoin her husband at Paris, after several escapes entered the city just after Napoleon's arrival and the flight of the Bourbons. Having graced such high positions, she was eminently fitted to preside at the White House, but ill-health incapacitated her, although at the time Mr. Adams was Secretary of State they entertained most agreeably. When Lafayette last visited America he was entertained by Mr. and Mrs. Adams at the Executive Mansion.

John Quincy Adams

JOHN QUINCY ADAMS, sixth President of the United States, eldest son of John Adams, second President, was born at Braintree, Mass., July 11, 1767. He enjoyed peculiar and rare advantages for education. In childhood he was instructed by his mother, a granddaughter of Colonel John Quincy, and a woman of superior talents. In 1778, when only 11 years old, he accompanied his father to France; attended a school in Paris, and returned home in August, 1779. Having been taken again to Europe by his father in 1780, he pursued his studies at the University of Leyden, where he learned Latin and Greek. In July, 1781, at the age of 14, he was appointed private secretary to Francis Dana, minister to Russia. He remained at St. Petersburg until October, 1782, after which he resumed his studies at The Hague. Was present at the signing of the definitive treaty of peace in Paris, September 3, 1783. He passed some months with his father in London, and returned to the United States to complete his education, entering Harvard College in 1786 and graduating in 1788. He studied law with the celebrated Theophilus Parsons, of Newburyport; was admitted to the bar in 1791, and began to practice in Boston. In 1791 he published in the Boston Centinel, under the signature of "Publicola," a series of able essays, in which he exposed the fallacies and vagaries of the French political reformers. These papers attracted much attention in Europe and the United States. Under the signature of "Marcellus" he wrote, in 1793, several articles, in which he argued that the United States should observe strict neutrality in the war between the French and the British. These writings commended him to the favor of Washington, and he was appointed minister to Holland in May, 1794. In July, 1797, he married Louisa Catherine Johnson, a daughter of Joshua Johnson, of Maryland, who was then American consul at London. In a letter dated February 20, 1797, Washington commended him highly to the elder Adams, and advised the President elect not to withhold promotion from him because he was his son. He was accordingly appointed minister to Berlin in 1797. He negotiated a treaty of amity and commerce with the Prussian Government, and was recalled about February, 1801. He was elected a Senator of the United States by the Federalists of Massachusetts for the term beginning March, 1803. In 1805 he was appointed professor of rhetoric and belles-lettres at Harvard College, and accepted on condition that he should be permitted to attend to his Senatorial duties. He offended the Federalists by supporting Jefferson's embargo act, which was passed in December, 1807, and thus became connected with the Democratic party. He resigned his seat in the Senate in March, 1808, declining to serve for the remainder of the term rather than obey the instructions of the Federalists. In March, 1809, he was appointed by President Madison minister to Russia. During his residence in that country he was nominated to be an associate justice of the Supreme Court of the United States, and confirmed February, 1811; but he declined the appointment. In 1813 Adams, Bayard, Clay, Russell, and Gallatin were appointed commissioners to negotiate a treaty of peace with Great Britain. They met the British diplomatists at Ghent, and after a protracted negotiation of six months signed a treaty of peace December 24, 1814. In the spring of 1815 he was appointed minister to the Court of St. James, remaining there until he was appointed by Mr. Monroe Secretary of State in 1817. In 1824 Adams, Jackson, Crawford, and Clay were candidates for the Presidency. Neither of the candidates having received a majority in the electoral colleges, the election devolved on the House of Representatives. Aided by the influence of Henry Clay, Mr. Adams received the votes of thirteen States, and was elected. He was defeated for reelection in 1828 by General Andrew Jackson. On the 4th of March, 1829, he retired to his estate at Quincy. In 1830 he was elected to Congress, and took his seat in December, 1831. He continued to represent his native district for seventeen years, during which time he was constantly at his post. On the 21st of February, 1848, while in his seat at the Capitol, he was stricken with paralysis, and died on the 23d of that month. He was buried at Quincy, Mass.

NOTIFICATION OF ELECTION.

Mr. Webster, from the committee appointed for that purpose yesterday, reported that the committee had waited on John Quincy Adams, of Massachusetts, and had notified him that in the recent election of a President of the United States, no person having received a majority of the votes of all the electors appointed, and the choice having consequently devolved upon the House of Representatives, that House, proceeding in the manner prescribed by the Constitution, did yesterday choose him to be President of the United States for four years, commencing on the 4th day of March next, and that the committee had received a written answer, which he presented to the House. Mr. Webster also reported that in further performance of its duty the committee had given the information of this election to the President.

FEBRUARY 10, 1825.

REPLY OF THE PRESIDENT ELECT.

WASHINGTON, *February 10, 1825.*

GENTLEMEN: In receiving this testimonial from the Representatives of the people and States of this Union I am deeply sensible to the circumstances under which it has been given. All my predecessors in the high station to which the favor of the House now calls me have been honored with majorities of the electoral voices in their primary colleges. It has been my fortune to be placed by the divisions of sentiment prevailing among our countrymen on this occasion in competition, friendly and honorable, with three of my fellow-citizens, all justly enjoying in eminent degrees the public favor, and of whose worth, talents, and services no one entertains a higher and more respectful sense than myself. The names of two of them were, in the fulfillment of the provisions of the Constitution, presented to the selection of the House in concurrence with my own—names closely associated with the glory of the nation, and one of them further recommended by a larger minority of the primary electoral suffrages than mine.

In this state of things, could my refusal to accept the trust thus delegated to me give an immediate opportunity to the people to form and to express with a nearer approach to unanimity the object of their preference, I should not hesitate to decline the acceptance of this eminent charge and to submit the decision of this momentous question again to their determination. But the Constitution itself has not so disposed of the contingency which would arise in the event of my refusal. I shall therefore repair to the post assigned me by the call of my country, signified through her constitutional organs, oppressed with the magnitude of the task before me, but cheered with the hope of that generous support from my fellow-citizens which, in the vicissitudes of a life devoted to their service, has never failed to sustain me, confident in the trust that the wisdom of the legislative councils will guide and direct me in the path of my official duty, and relying above all upon the superintending providence of that Being in whose hands our breath is and whose are all our ways.

Gentlemen, I pray you to make acceptable to the House the assurance of my profound gratitude for their confidence, and to accept yourselves my thanks for the friendly terms in which you have communicated to me their decision.

JOHN QUINCY ADAMS.

LETTER FROM THE PRESIDENT ELECT.

CITY OF WASHINGTON, *March 1, 1825*.

The PRESIDENT OF THE SENATE OF THE UNITED STATES.

SIR: I ask the favor of you to inform the honorable Senate of the United States that I propose to take the oath prescribed by the Constitution to the President of the United States before he enters on the execution of his office, on Friday, the 4th instant, at 12 o'clock, in the Hall of the House of Representatives.

I have the honor to be, with the highest respect, sir, your very humble and obedient servant,

JOHN QUINCY ADAMS.

INAUGURAL ADDRESS.

In compliance with an usage coeval with the existence of our Federal Constitution, and sanctioned by the example of my predecessors in the career upon which I am about to enter, I appear, my fellow-citizens, in your presence and in that of Heaven to bind myself by the solemnities of religious obligation to the faithful performance of the duties allotted to me in the station to which I have been called.

In unfolding to my countrymen the principles by which I shall be governed in the fulfillment of those duties my first resort will be to that Constitution which I shall swear to the best of my ability to preserve, protect, and defend. That revered instrument enumerates the powers and prescribes the duties of the Executive Magistrate, and in its first words declares the purposes to which these and the whole action of the Government instituted by it should be invariably and sacredly devoted—to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to the people of this Union in their successive generations. Since the adoption of this social compact one of these generations has passed away. It is the work of our forefathers. Administered by some of the most eminent men who contributed to its formation, through a most eventful period in the annals of the world, and through all the vicissitudes of peace and war incidental to the condition of associated man, it has not disappointed the hopes and aspirations of those illustrious benefactors of their age and nation. It has promoted the lasting welfare of that country so dear to us all; it has to an extent far beyond the ordinary lot of humanity secured the freedom and happiness of this people. We now receive it as a precious inheritance from those to whom we are indebted for its establishment, doubly bound by the examples which they have left us and by the blessings which we have enjoyed as the fruits of their labors to transmit the same unimpaired to the succeeding generation.

In the compass of thirty-six years since this great national covenant was instituted a body of laws enacted under its authority and in conformity with its provisions has unfolded its powers and carried into practical operation its effective energies. Subordinate departments have distributed the executive functions in their various relations to foreign affairs, to the revenue and expenditures, and to the military force of the Union by land and sea. A coordinate department of the judiciary has expounded the Constitution and the laws, settling in harmonious coincidence with the legislative will numerous weighty questions of construction which the imperfection of human language had rendered unavoidable. The year of jubilee since the first formation of our Union has just elapsed; that of the declaration of our independence is at hand. The consummation of both was effected by this Constitution.

Since that period a population of four millions has multiplied to twelve. A territory bounded by the Mississippi has been extended from sea to sea. New States have been admitted to the Union in numbers nearly equal to those of the first Confederation. Treaties of peace, amity, and commerce have been concluded with the principal dominions of the earth. The people of other nations, inhabitants of regions acquired not by conquest, but by compact, have been united with us in the participation of our rights and duties, of our burdens and blessings. The forest has fallen by the ax of our woodsmen; the soil has been made to teem by the tillage of our farmers; our commerce has whitened every ocean. The dominion of man over physical nature has been extended by the invention of our artists. Liberty and law have marched hand in hand. All the purposes of human association have been accomplished as effectively as under any other government on the globe, and at a cost little exceeding in a whole generation the expenditure of other nations in a single year.

Such is the unexaggerated picture of our condition under a Constitution founded upon the republican principle of equal rights. To admit that this picture has its shades is but to say that it is still the condition of men upon earth. From evil—physical, moral, and political—it is not our claim to be exempt. We have suffered sometimes by the visitation of Heaven through disease; often by the wrongs and injustice of other nations, even to the extremities of war; and, lastly, by dissensions among ourselves—dissensions perhaps inseparable from the enjoyment of freedom, but which have more than once appeared to threaten the dissolution of the Union, and with it the overthrow of all the enjoyments of our present lot and all our earthly hopes of the future. The causes of these dissensions have been various, founded upon differences of speculation in the theory of republican government; upon conflicting views of policy in our relations with foreign nations; upon jealousies of partial and sectional interests, aggravated by prejudices and prepossessions which strangers to each other are ever apt to entertain.

It is a source of gratification and of encouragement to me to observe that the great result of this experiment upon the theory of human rights has at the close of that generation by which it was formed been crowned with success equal to the most sanguine expectations of its founders. Union, justice, tranquillity, the common defense, the general welfare, and the blessings of liberty—all have been promoted by the Government under which we have lived. Standing at this point of time, looking back to that generation which has gone by and forward to that which is advancing, we may at once indulge in grateful exultation and in cheering hope. From the experience of the past we derive instructive lessons for the future. Of the two great political parties which have divided the opinions and feelings of our country, the candid and the just will now admit that both have contributed splendid talents, spotless integrity, ardent patriotism, and disinterested sacrifices to the formation and administration of this

Government, and that both have required a liberal indulgence for a portion of human infirmity and error. The revolutionary wars of Europe, commencing precisely at the moment when the Government of the United States first went into operation under this Constitution, excited a collision of sentiments and of sympathies which kindled all the passions and imbittered the conflict of parties till the nation was involved in war and the Union was shaken to its center. This time of trial embraced a period of five and twenty years, during which the policy of the Union in its relations with Europe constituted the principal basis of our political divisions and the most arduous part of the action of our Federal Government. With the catastrophe in which the wars of the French Revolution terminated, and our own subsequent peace with Great Britain, this baneful weed of party strife was uprooted. From that time no difference of principle, connected either with the theory of government or with our intercourse with foreign nations, has existed or been called forth in force sufficient to sustain a continued combination of parties or to give more than wholesome animation to public sentiment or legislative debate. Our political creed is, without a dissenting voice that can be heard, that the will of the people is the source and the happiness of the people the end of all legitimate government upon earth; that the best security for the beneficence and the best guaranty against the abuse of power consists in the freedom, the purity, and the frequency of popular elections; that the General Government of the Union and the separate governments of the States are all sovereignties of limited powers, fellow-servants of the same masters, uncontrolled within their respective spheres, uncontrollable by encroachments upon each other; that the firmest security of peace is the preparation during peace of the defenses of war; that a rigorous economy and accountability of public expenditures should guard against the aggravation and alleviate when possible the burden of taxation; that the military should be kept in strict subordination to the civil power; that the freedom of the press and of religious opinion should be inviolate; that the policy of our country is peace and the ark of our salvation union are articles of faith upon which we are all now agreed. If there have been those who doubted whether a confederated representative democracy were a government competent to the wise and orderly management of the common concerns of a mighty nation, those doubts have been dispelled; if there have been projects of partial confederacies to be erected upon the ruins of the Union, they have been scattered to the winds; if there have been dangerous attachments to one foreign nation and antipathies against another, they have been extinguished. Ten years of peace, at home and abroad, have assuaged the animosities of political contention and blended into harmony the most discordant elements of public opinion. There still remains one effort of magnanimity, one sacrifice of prejudice and passion, to be made by the individuals throughout the nation who have heretofore followed the standards of political party. It is that of discarding every remnant of rancor against each other, of embracing as countrymen and friends, and of yielding to talents and virtue alone that confidence which in times of contention for principle was bestowed only upon those who bore the badge of party communion.

The collisions of party spirit which originate in speculative opinions or in different views of administrative policy are in their nature transitory. Those which are founded on geographical divisions, adverse interests of soil, climate, and modes of domestic life are more permanent, and therefore, perhaps, more dangerous. It is this which gives inestimable value to the character of our Government, at once federal and national. It holds out to us a perpetual admonition to preserve alike and with equal anxiety the rights of each individual State in its own government and the rights of the whole nation in that of the Union. Whatsoever is of domestic concernment, unconnected with the other members of the Union or with foreign lands, belongs exclusively to the administration of the State governments. Whatsoever directly involves the rights and interests of the federative fraternity or of foreign powers is of the resort of this General Government. The duties of both are obvious in the general principle, though sometimes perplexed with difficulties in the detail. To respect the rights of the State governments is the inviolable duty of that of the Union; the government of every State will feel its own obligation to respect and preserve the rights of the whole. The prejudices everywhere too commonly entertained against distant strangers are worn away, and the jealousies of jarring interests are allayed by the composition and functions of the great national councils annually assembled from all quarters of the Union at this place. Here the distinguished men from every section of our country, while meeting to deliberate upon the great interests of those by whom they are deputed, learn to estimate the talents and do justice to the virtues of each other. The harmony of the nation is promoted and the whole Union is knit together by the sentiments of mutual respect, the habits of social intercourse, and the ties of personal friendship formed between the representatives of its several parts in the performance of their service at this metropolis.

Passing from this general review of the purposes and injunctions of the Federal Constitution and their results as indicating the first traces of the path of duty in the discharge of my public trust, I turn to the Administration of my immediate predecessor as the second. It has passed away in a period of profound peace, how much to the satisfaction of our country and to the honor of our country's name is known to you all. The great features of its policy, in general concurrence with the will of the Legislature, have been to cherish peace while preparing for defensive war; to yield exact justice to other nations and maintain the rights of our own; to cherish the principles of freedom and of equal rights wherever they were proclaimed; to discharge with all possible promptitude the national debt; to reduce within the narrowest limits of efficiency the military force;

to improve the organization and discipline of the Army; to provide and sustain a school of military science; to extend equal protection to all the great interests of the nation; to promote the civilization of the Indian tribes, and to proceed in the great system of internal improvements within the limits of the constitutional power of the Union. Under the pledge of these promises, made by that eminent citizen at the time of his first induction to this office, in his career of eight years the internal taxes have been repealed; sixty millions of the public debt have been discharged; provision has been made for the comfort and relief of the aged and indigent among the surviving warriors of the Revolution; the regular armed force has been reduced and its constitution revised and perfected; the accountability for the expenditure of public moneys has been made more effective; the Floridas have been peaceably acquired, and our boundary has been extended to the Pacific Ocean; the independence of the southern nations of this hemisphere has been recognized, and recommended by example and by counsel to the potentates of Europe; progress has been made in the defense of the country by fortifications and the increase of the Navy, toward the effectual suppression of the African traffic in slaves, in alluring the aboriginal hunters of our land to the cultivation of the soil and of the mind, in exploring the interior regions of the Union, and in preparing by scientific researches and surveys for the further application of our national resources to the internal improvement of our country.

In this brief outline of the promise and performance of my immediate predecessor the line of duty for his successor is clearly delineated. To pursue to their consummation those purposes of improvement in our common condition instituted or recommended by him will embrace the whole sphere of my obligations. To the topic of internal improvement, emphatically urged by him at his inauguration, I recur with peculiar satisfaction. It is that from which I am convinced that the unborn millions of our posterity who are in future ages to people this continent will derive their most fervent gratitude to the founders of the Union; that in which the beneficent action of its Government will be most deeply felt and acknowledged. The magnificence and splendor of their public works are among the imperishable glories of the ancient republics. The roads and aqueducts of Rome have been the admiration of all after ages, and have survived thousands of years after all her conquests have been swallowed up in despotism or become the spoil of barbarians. Some diversity of opinion has prevailed with regard to the powers of Congress for legislation upon objects of this nature. The most respectful deference is due to doubts originating in pure patriotism and sustained by venerated authority. But nearly twenty years have passed since the construction of the first national road was commenced. The authority for its construction was then unquestioned. To how many thousands of our countrymen has it proved a benefit? To what single individual has it ever proved an injury? Repeated, liberal, and candid discussions in the Legislature have conciliated the sentiments and approximated the opinions of enlightened minds upon the question of constitutional power. I can not but hope that by the same process of friendly, patient, and persevering deliberation all constitutional objections will ultimately be removed. The extent and limitation of the powers of the General Government in relation to this transcendently important interest will be settled and acknowledged to the common satisfaction of all, and every speculative scruple will be solved by a practical public blessing.

Fellow-citizens, you are acquainted with the peculiar circumstances of the recent election, which have resulted in affording me the opportunity of addressing you at this time. You have heard the exposition of the principles which will direct me in the fulfillment of the high and solemn trust imposed upon me in this station. Less possessed of your confidence in advance than any of my predecessors, I am deeply conscious of the prospect that I shall stand more and oftener in need of your indulgence. Intentions upright and pure, a heart devoted to the welfare of our country, and the unceasing application of all the faculties allotted to me to her service are all the pledges that I can give for the faithful performance of the arduous duties I am to undertake. To the guidance of the legislative councils, to the assistance of the executive and subordinate departments, to the friendly cooperation of the respective State governments, to the candid and liberal support of the people so far as it may be deserved by honest industry and zeal, I shall look for whatever success may attend my public service; and knowing that "except the Lord keep the city the watchman waketh but in vain," with fervent supplications for His favor, to His overruling providence I commit with humble but fearless confidence my own fate and the future destinies of my country.

MARCH 4, 1825.

FIRST ANNUAL MESSAGE.

WASHINGTON, *December 6, 1825.*

Fellow-Citizens of the Senate and of the House of Representatives:

In taking a general survey of the concerns of our beloved country, with reference to subjects interesting to the common welfare, the first sentiment which impresses itself upon the mind is of gratitude to the Omnipotent Disposer of All Good for the continuance of the signal blessings of His providence, and especially for that health which to an unusual extent has prevailed within our borders, and for that abundance which in the vicissitudes of the seasons has been scattered with profusion over our land. Nor ought we less to ascribe to Him the glory that we are permitted to enjoy the bounties of His hand in peace and tranquillity—in peace with all the other nations of the earth, in tranquillity among ourselves. There has, indeed, rarely been a period in the history of civilized man in which the general condition of the Christian nations has been marked so extensively by peace and prosperity.

Europe, with a few partial and unhappy exceptions, has enjoyed ten years of peace, during which all her Governments, whatever the theory of their constitutions may have been, are successively taught to feel that the end of their institution is the happiness of the people, and that the exercise of power among men can be justified only by the blessings it confers upon those over whom it is extended.

During the same period our intercourse with all those nations has been pacific and friendly; it so continues. Since the close of your last session no material variation has occurred in our relations with any one of them. In the commercial and navigation system of Great Britain important changes of municipal regulation have recently been sanctioned by acts of Parliament, the effect of which upon the interests of other nations, and particularly upon ours, has not yet been fully developed. In the recent renewal of the diplomatic missions on both sides between the two Governments assurances have been given and received of the continuance and increase of the mutual confidence and cordiality by which the adjustment of many points of difference had already been effected, and which affords the surest pledge for the ultimate satisfactory adjustment of those which still remain open or may hereafter arise.

The policy of the United States in their commercial intercourse with other nations has always been of the most liberal character. In the mutual exchange of their respective productions they have abstained altogether from prohibitions; they have interdicted themselves the power of laying taxes upon exports, and whenever they have favored their own shipping by special preferences or exclusive privileges in their own ports it has been only with a view to countervail similar favors and exclusions granted by the nations with whom we have been engaged in traffic to their own people or shipping, and to the disadvantage of ours. Immediately after the close of the last war a proposal was fairly made by the act of Congress of the 3d of March, 1815, to all the maritime nations to lay aside the system of retaliating restrictions and exclusions, and to place the shipping of both parties to the common trade on a footing of equality in respect to the duties of tonnage and impost. This offer was partially and successively accepted by Great Britain, Sweden, the Netherlands, the Hanseatic cities, Prussia, Sardinia, the Duke of Oldenburg, and Russia. It was also adopted, under certain modifications, in our late commercial convention with France, and by the act of Congress of the 8th January, 1824, it has received a new confirmation with all the nations who had acceded to it, and has been offered again to all those who are or may hereafter be willing to abide in reciprocity by it. But all these regulations, whether established by treaty or by municipal enactments, are still subject to one important restriction.

The removal of discriminating duties of tonnage and of impost is limited to articles of the growth, produce, or manufacture of the country to which the vessel belongs or to such articles as are most usually first shipped from her ports. It will deserve the serious consideration of Congress whether even this remnant of restriction may not be safely abandoned, and whether the general tender of equal competition made in the act of 8th January, 1824, may not be extended to include all articles of merchandise not prohibited, of what country soever they may be the produce or manufacture. Propositions to this effect have already been made to us by more than one European Government, and it is probable that if once established by legislation or compact with any distinguished maritime state it would recommend itself by the experience of its advantages to the general accession of all.

The convention of commerce and navigation between the United States and France, concluded on the 24th of June, 1822, was, in the understanding and intent of both parties, as appears upon its face, only a temporary arrangement of the points of difference between them of the most immediate and pressing urgency. It was limited in the first instance to two years from the 1st of October, 1822, but with a proviso that it should further continue in force till the conclusion of a general and definitive treaty of commerce, unless terminated by a notice, six months in advance, of either of the parties to the other. Its operation so far as it extended has been mutually advantageous, and it still continues in force by common consent. But it left unadjusted several objects of great interest to the citizens and subjects of both countries, and particularly a mass of claims to considerable amount of citizens of the United States upon the Government of France of indemnity for property taken or destroyed under circumstances of the most aggravated and outrageous character. In the long period during which continual and earnest appeals have been made to the equity and magnanimity of France in behalf of these claims their justice has not been, as it could not be, denied. It was hoped that the accession of a new Sovereign to the throne would have afforded a favorable opportunity for presenting them to the consideration of his Government. They have been presented and urged hitherto without effect. The repeated and earnest representations of our minister at the Court of France remain as yet even without an answer. Were the demands of nations upon the justice of each other susceptible of adjudication by the sentence of an impartial tribunal, those to which I now refer would long since have been settled and adequate indemnity would have been obtained. There are large amounts of similar claims upon the Netherlands, Naples and Denmark. For those upon Spain prior to 1819 indemnity was, after many years of patient forbearance, obtained; and those upon Sweden have been lately compromised by a private settlement, in which the claimants themselves have acquiesced. The Governments of Denmark and of Naples have been recently reminded of those yet existing against them, nor will any of them be forgotten while a hope may be indulged of obtaining justice by the means within the constitutional power of the Executive, and without resorting to those means of self-redress which, as well as the time, circumstances, and occasion which may require them, are within the exclusive competency of the Legislature.

It is with great satisfaction that I am enabled to bear witness to the liberal spirit with which the Republic of Colombia has made satisfaction for well-established claims of a similar character, and among the documents now communicated to Congress will be distinguished a treaty of commerce and navigation with that Republic, the ratifications of which have been exchanged since the last recess of the Legislature. The negotiation of similar treaties with all the independent South American States has been contemplated and may yet be accomplished. The basis of them all, as proposed by the United States, has been laid in two principles—the one of entire and unqualified reciprocity, the other the mutual obligation of the parties to place each other permanently upon the footing of the most favored nation. These principles are, indeed, indispensable to the effectual emancipation of the American hemisphere from the thraldom of colonizing monopolies and exclusions, an event rapidly realizing in the progress of human affairs, and which the resistance still opposed in certain parts of Europe to the acknowledgment of the Southern American Republics as independent States will, it is believed, contribute more effectually to accomplish. The time has been, and that not remote, when some of those States might, in their anxious desire to obtain a nominal recognition, have accepted of a nominal independence, clogged with burdensome conditions, and exclusive commercial privileges granted to the nation from which they have separated to the disadvantage of all others. They are all now aware that such concessions to any European nation would be incompatible with that independence which they have declared and maintained.

Among the measures which have been suggested to them by the new relations with one another, resulting from the recent changes in their condition, is that of assembling at the Isthmus of Panama a congress, at which each of them should be represented, to deliberate upon objects important to the welfare of all. The Republics of Colombia, of Mexico, and of Central America have already deputed plenipotentiaries to such a meeting, and they have invited the United States to be also represented there by their ministers. The invitation has been accepted, and ministers on the part of the United States will be commissioned to attend at those deliberations, and to take part in them so far as may be compatible with that neutrality from which it is neither our intention nor the desire of the other American States that we should depart.

The commissioners under the seventh article of the treaty of Ghent have so nearly completed their arduous labors that, by the report recently received from the agent on the part of the United States, there is reason to expect that the commission will be closed at their next session, appointed for the 22d of May of the ensuing year.

The other commission, appointed to ascertain the indemnities due for slaves carried away from the United States after the close of the late war, have met with some difficulty, which has delayed their progress in the inquiry. A reference has been made to the British Government on the subject, which, it may be hoped, will tend to hasten the decision of the commissioners, or serve as a substitute for it.

Among the powers specifically granted to Congress by the Constitution are those of establishing uniform laws on the subject of bankruptcies throughout the United States and of providing for organizing, arming, and disciplining the militia and for governing such part of them as may be employed in the service of the United States. The magnitude and complexity of the interests affected by legislation upon these subjects may account for the fact that, long and often as both of them have occupied the attention and animated the debates of Congress, no systems have yet been devised for fulfilling to the satisfaction of the community the duties prescribed by these grants of power. To conciliate the claim of the individual citizen to the enjoyment of personal liberty, with the effective obligation of private contracts, is the difficult problem to be solved by a law of bankruptcy. These are objects of the deepest interest to society, affecting all that is precious in the existence of multitudes of persons, many of them in the classes essentially dependent and helpless, of the age requiring nurture, and of the sex entitled to protection from the free agency of the parent and the husband. The organization of the militia is yet more indispensable to the liberties of the country. It is only by an effective militia that we can at once enjoy the repose of peace and bid defiance to foreign aggression; it is by the militia that we are constituted an armed nation, standing in perpetual panoply of defense in the presence of all the other nations of the earth. To this end it would be necessary, if possible, so to shape its organization as to give it a more united and active energy. There are laws for establishing an uniform militia throughout the United States and for arming and equipping its whole body. But it is a body of dislocated members, without the vigor of unity and having little of uniformity but the name. To infuse into this most important institution the power of which it is susceptible and to make it available for the defense of the Union at the shortest notice and at the smallest expense possible of time, of life, and of treasure are among the benefits to be expected from the persevering deliberations of Congress.

Among the unequivocal indications of our national prosperity is the flourishing state of our finances. The revenues of the present year, from all their principal sources, will exceed the anticipations of the last. The balance in the Treasury on the 1st of January last was a little short of $2,000,000, exclusive of two millions and a half, being the moiety of the loan of five millions authorized by the act of 26th of May, 1824. The receipts into the Treasury from the 1st of January to the 30th of September, exclusive of the other moiety of the same loan, are estimated at $16,500,000, and it is expected that those of the current quarter will exceed $5,000,000, forming an aggregate of receipts of nearly twenty-two millions, independent of the loan. The expenditures of the year will not exceed that sum more than two millions. By those expenditures nearly eight millions of the principal of the public debt have been discharged. More than a million and a half has been devoted to the debt of gratitude to the warriors of the Revolution; a nearly equal sum to the construction of fortifications and the acquisition of ordnance and other permanent preparations of national defense; half a million to the gradual increase of the Navy; an equal sum for purchases of territory from the Indians and payment of annuities to them; and upward of a million for objects of internal improvement authorized by special acts of the last Congress. If we add to these $4,000,000 for payment of interest upon the public debt, there remains a sum of about seven millions, which have defrayed the whole expense of the administration of Government in its legislative, executive, and judiciary departments, including the support of the military and naval establishments and all the occasional contingencies of a government coextensive with the Union.

The amount of duties secured on merchandise imported since the commencement of the year is about twenty-five millions and a half, and that which will accrue during the current quarter is estimated at five millions and a half; from these thirty-one millions, deducting the drawbacks, estimated at less than seven millions, a sum exceeding twenty-four millions will constitute the revenue of the year, and will exceed the whole expenditures of the year. The entire amount of the public debt remaining due on the 1st of January next will be short of $81,000,000.

By an act of Congress of the 3d of March last a loan of $12,000,000 was authorized at 4½ per cent, or an exchange of stock to that amount of 4½ per cent for a stock of 6 per cent, to create a fund for extinguishing an equal amount of the public debt, bearing an interest of 6 per cent, redeemable in 1826. An account of the measures taken to give effect to this act will be laid before you by the Secretary of the Treasury. As the object which it had in view has been but partially accomplished, it will be for the consideration of Congress whether the power with which it clothed the Executive should not be renewed at an early day of the present session, and under what modifications.

The act of Congress of the 3d of March last, directing the Secretary of the Treasury to subscribe, in the name and for the use of the United States, for 1,500 shares of the capital stock of the Chesapeake and Delaware Canal Company, has been executed by the actual subscription for the amount specified; and such other measures have been adopted by that officer, under the act, as the fulfillment of its intentions requires.

The latest accounts received of this important undertaking authorize the belief that it is in successful progress.

The payments into the Treasury from the proceeds of the sales of the public lands during the present year were estimated at $1,000,000. The actual receipts of the first two quarters have fallen very little short of that sum; it is not expected that the second half of the year will be equally productive, but the income of the year from that source may now be safely estimated at a million and a half. The act of Congress of 18th May, 1824, to provide for the extinguishment of the debt due to the United States by the purchasers of public lands, was limited in its operation of relief to the purchaser to the 10th of April last. Its effect at the end of the quarter during which it expired was to reduce that debt from ten to seven millions. By the operation of similar prior laws of relief, from and since that of 2d March, 1821, the debt had been reduced from upward of twenty-two millions to ten. It is exceedingly desirable that it should be extinguished altogether; and to facilitate that consummation I recommend to Congress the revival for one year more of the act of 18th May, 1824, with such provisional modification as may be necessary to guard the public interests against fraudulent practices in the resale of the relinquished land. The purchasers of public lands are among the most useful of our fellow-citizens, and since the system of sales for cash alone has been introduced great indulgence has been justly extended to those who had previously purchased upon credit. The debt which had been contracted under the credit sales had become unwieldy, and its extinction was alike advantageous to the purchaser and to the public. Under the system of sales, matured as it has been by experience, and adapted to the exigencies of the times, the lands will continue as they have become, an abundant source of revenue; and when the pledge of them to the public creditor shall have been redeemed by the entire discharge of the national debt, the swelling tide of wealth with which they replenish the common Treasury may be made to reflow in unfailing streams of improvement from the Atlantic to the Pacific Ocean.

The condition of the various branches of the public service resorting from the Department of War, and their administration during the current year, will be exhibited in the report of the Secretary of War and the accompanying documents herewith communicated. The organization and discipline of the Army are effective and satisfactory. To counteract the prevalence of desertion among the troops it has been suggested to withhold from the men a small portion of their monthly pay until the period of their discharge; and some expedient appears to be necessary to preserve and maintain among the officers so much of the art of horsemanship as could scarcely fail to be found wanting on the possible sudden eruption of a war, which should take us unprovided with a single corps of cavalry. The Military Academy at West Point, under the restrictions of a severe but paternal superintendence, recommends itself more and more to the patronage of the nation, and the numbers of meritorious officers which it forms and introduces to the public service furnishes the means of multiplying the undertakings of public improvements to which their acquirements at that institution are peculiarly adapted. The school of artillery practice established at Fortress Monroe is well suited to the same purpose, and may need the aid of further legislative provision to the same end. The reports of the various officers at the head of the administrative branches of the military service, connected with the quartering, clothing, subsistence, health, and pay of the Army, exhibit the assiduous vigilance of those officers in the performance of their respective duties, and the faithful accountability which has pervaded every part of the system.

Our relations with the numerous tribes of aboriginal natives of this country, scattered over its extensive surface and so dependent even for their existence upon our power, have been during the present year highly interesting. An act of Congress of 25th of May, 1824, made an appropriation to defray the expenses of making treaties of trade and friendship with the Indian tribes beyond the Mississippi. An act of 3d of March, 1825, authorized treaties to be made with the Indians for their consent to the making of a road from the frontier of Missouri to that of New Mexico, and another act of the same date provided for defraying the expenses of holding treaties with the Sioux, Chippeways, Menomenees, Sauks, Foxes, etc., for the purpose of establishing boundaries and promoting peace between said tribes. The first and the last objects of these acts have been accomplished, and the second is yet in a process of execution. The treaties which since the last session of Congress have been concluded with the several tribes will be laid before the Senate for their consideration conformably to the Constitution. They comprise large and valuable acquisitions of territory, and they secure an adjustment of boundaries and give pledges of permanent peace between several tribes which had been long waging bloody wars against each other.

On the 12th of February last a treaty was signed at the Indian Springs between commissioners appointed on the part of the United States and certain chiefs and individuals of the Creek Nation of Indians, which was received at the seat of Government only a very few days before the close of the last session of Congress and of the late Administration. The advice and consent of the Senate was given to it on the 3d of March, too late for it to receive the ratification of the then President of the United States; it was ratified on the 7th of March, under the unsuspecting impression that it had been negotiated in good faith and in the confidence inspired by the recommendation of the Senate. The subsequent transactions in relation to this treaty will form the subject of a separate communication.

The appropriations made by Congress for public works, as well in the construction of fortifications as for purposes of internal improvement, so far as they have been expended, have been faithfully applied. Their progress has been delayed by the want of suitable officers for superintending them. An increase of both the corps of engineers, military and topographical, was recommended by my predecessor at the last session of Congress. The reasons upon which that recommendation was founded subsist in all their force and have acquired additional urgency since that time. It may also be expedient to organize the topographical engineers into a corps similar to the present establishment of the Corps of Engineers. The Military Academy at West Point will furnish from the cadets annually graduated there officers well qualified for carrying this measure into effect.

The Board of Engineers for Internal Improvement, appointed for carrying into execution the act of Congress of 30th of April, 1824, "to procure the necessary surveys, plans, and estimates on the subject of roads and canals," have been actively engaged in that service from the close of the last session of Congress. They have completed the surveys necessary for ascertaining the practicability of a canal from the Chesapeake Bay to the Ohio River, and are preparing a full report on that subject, which, when completed, will be laid before you. The same observation is to be made with regard to the two other objects of national importance upon which the Board have been occupied, namely, the accomplishment of a national road from this city to New Orleans, and the practicability of uniting the waters of Lake Memphramagog with Connecticut River and the improvement of the navigation of that river. The surveys have been made and are nearly completed. The report may be expected at an early period during the present session of Congress.

The acts of Congress of the last session relative to the surveying, marking, or laying out roads in the Territories of Florida, Arkansas, and Michigan, from Missouri to Mexico, and for the continuation of the Cumberland road, are, some of them, fully executed, and others in the process of execution. Those for completing or commencing fortifications have been delayed only so far as the Corps of Engineers has been inadequate to furnish officers for the necessary superintendence of the works. Under the act confirming the statutes of Virginia and Maryland incorporating the Chesapeake and Ohio Canal Company, three commissioners on the part of the United States have been appointed for opening books and receiving subscriptions, in concert with a like number of commissioners appointed on the part of each of those States. A meeting of the commissioners has been postponed, to await the definitive report of the board of engineers. The light-houses and monuments for the safety of our commerce and mariners, the works for the security of Plymouth Beach and for the preservation of the islands in Boston Harbor, have received the attention required by the laws relating to those objects respectively. The continuation of the Cumberland road, the most important of them all, after surmounting no inconsiderable difficulty in fixing upon the direction of the road, has commenced under the most promising auspices, with the improvements of recent invention in the mode of construction, and with the advantage of a great reduction in the comparative cost of the work.

The operation of the laws relating to the Revolutionary pensioners may deserve the renewed consideration of Congress. The act of the 18th of March, 1818, while it made provision for many meritorious and indigent citizens who had served in the War of Independence, opened a door to numerous abuses and impositions. To remedy this the act of 1st May, 1820, exacted proofs of absolute indigence, which many really in want were unable and all susceptible of that delicacy which is allied to many virtues must be deeply reluctant to give. The result has been that some among the least deserving have been retained, and some in whom the requisites both of worth and want were combined have been stricken from the list. As the numbers of these venerable relics of an age gone by diminish; as the decays of body, mind, and estate of those that survive must in the common course of nature increase, should not a more liberal portion of indulgence be dealt out to them? May not the want in most instances be inferred from the demand when the service can be proved, and may not the last days of human infirmity be spared the mortification of purchasing a pittance of relief only by the exposure of its own necessities? I submit to Congress the expediency of providing for individual cases of this description by special enactment, or of revising the act of the 1st of May, 1820, with a view to mitigate the rigor of its exclusions in favor of persons to whom charity now bestowed can scarcely discharge the debt of justice.

The portion of the naval force of the Union in actual service has been chiefly employed on three stations—the Mediterranean, the coasts of South America bordering on the Pacific Ocean, and the West Indies. An occasional cruiser has been sent to range along the African shores most polluted by the traffic of slaves; one armed vessel has been stationed on the coast of our eastern boundary, to cruise along the fishing grounds in Hudsons Bay and on the coast of Labrador, and the first service of a new frigate has been performed in restoring to his native soil and domestic enjoyments the veteran hero whose youthful blood and treasure had freely flowed in the cause of our country's independence, and whose whole life has been a series of services and sacrifices to the improvement of his fellow-men. The visit of General Lafayette, alike honorable to himself and to our country, closed, as it had commenced, with the most affecting testimonials of devoted attachment on his part, and of unbounded gratitude of this people to him in return. It will form hereafter a pleasing incident in the annals of our Union, giving to real history the intense interest of romance and signally marking the unpurchasable tribute of a great nation's social affections to the disinterested champion of the liberties of human-kind.

The constant maintenance of a small squadron in the Mediterranean is a necessary substitute for the humiliating alternative of paying tribute for the security of our commerce in that sea, and for a precarious peace, at the mercy of every caprice of four Barbary States, by whom it was liable to be violated. An additional motive for keeping a respectable force stationed there at this time is found in the maritime war raging between the Greeks and the Turks, and in which the neutral navigation of this Union is always in danger of outrage and depredation. A few instances have occurred of such depredations upon our merchant vessels by privateers or pirates wearing the Grecian flag, but without real authority from the Greek or any other Government. The heroic struggles of the Greeks themselves, in which our warmest sympathies as freemen and Christians have been engaged, have continued to be maintained with vicissitudes of success adverse and favorable.

Similar motives have rendered expedient the keeping of a like force on the coasts of Peru and Chile on the Pacific. The irregular and convulsive character of the war upon the shores has been extended to the conflicts upon the ocean. An active warfare has been kept up for years with alternate success, though generally to the advantage of the American patriots. But their naval forces have not always been under the control of their own Governments. Blockades, unjustifiable upon any acknowledged principles of international law, have been proclaimed by officers in command, and though disavowed by the supreme authorities, the protection of our own commerce against them has been made cause of complaint and erroneous imputations against some of the most gallant officers of our Navy. Complaints equally groundless have been made by the commanders of the Spanish royal forces in those seas; but the most effective protection to our commerce has been the flag and the firmness of our own commanding officers. The cessation of the war by the complete triumph of the patriot cause has removed, it is hoped, all cause of dissension with one party and all vestige of force of the other. But an unsettled coast of many degrees of latitude forming a part of our own territory and a flourishing commerce and fishery extending to the islands of the Pacific and to China still require that the protecting power of the Union should be displayed under its flag as well upon the ocean as upon the land.

The objects of the West India Squadron have been to carry into execution the laws for the suppression of the African slave trade; for the protection of our commerce against vessels of piratical character, though bearing commissions from either of the belligerent parties; for its protection against open and unequivocal pirates. These objects during the present year have been accomplished more effectually than at any former period. The African slave trade has long been excluded from the use of our flag, and if some few citizens of our country have continued to set the laws of the Union as well as those of nature and humanity at defiance by persevering in that abominable traffic, it has been only by sheltering themselves under the banners of other nations less earnest for the total extinction of the trade than ours. The irregular privateers have within the last year been in a great measure banished from those seas, and the pirates for months past appear to have been almost entirely swept away from the borders and the shores of the two Spanish islands in those regions. The active, persevering, and unremitted energy of Captain Warrington and of the officers and men under his command on that trying and perilous service have been crowned with signal success, and are entitled to the approbation of their country. But experience has shown that not even a temporary suspension or relaxation from assiduity can be indulged on that station without reproducing piracy and murder in all their horrors; nor is it probable that for years to come our immensely valuable commerce in those seas can navigate in security without the steady continuance of an armed force devoted to its protection.

It were, indeed, a vain and dangerous illusion to believe that in the present or probable condition of human society a commerce so extensive and so rich as ours could exist and be pursued in safety without the continual support of a military marine—the only arm by which the power of this Confederacy can be estimated or felt by foreign nations, and the only standing military force which can never be dangerous to our own liberties at home. A permanent naval peace establishment, therefore, adapted to our present condition, and adaptable to that gigantic growth with which the nation is advancing in its career, is among the subjects which have already occupied the foresight of the last Congress, and which will deserve your serious deliberations. Our Navy, commenced at an early period of our present political organization upon a scale commensurate with the incipient energies, the scanty resources, and the comparative indigence of our infancy, was even then found adequate to cope with all the powers of Barbary, save the first, and with one of the principal maritime powers of Europe.

At a period of further advancement, but with little accession of strength, it not only sustained with honor the most unequal of conflicts, but covered itself and our country with unfading glory. But it is only since the close of the late war that by the numbers and force of the ships of which it was composed it could deserve the name of a navy. Yet it retains nearly the same organization as when it consisted only of five frigates. The rules and regulations by which it is governed earnestly call for revision, and the want of a naval school of instruction, corresponding with the Military Academy at West Point, for the formation of scientific and accomplished officers, is felt with daily increasing aggravation.

The act of Congress of 26th of May, 1824, authorizing an examination and survey of the harbor of Charleston, in South Carolina, of St. Marys, in Georgia, and of the coast of Florida, and for other purposes, has been executed so far as the appropriation would admit. Those of the 3d of March last, authorizing the establishment of a navy-yard and depot on the coast of Florida, in the Gulf of Mexico, and authorizing the building of ten sloops of war, and for other purposes, are in the course of execution, for the particulars of which and other objects connected with this Department I refer to the report of the Secretary of the Navy, herewith communicated.

A report from the Postmaster-General is also submitted, exhibiting the present flourishing condition of that Department. For the first time for many years the receipts for the year ending on the 1st of July last exceeded the expenditures during the same period to the amount of more than $45,000. Other facts equally creditable to the administration of this Department are that in two years from the 1st of July, 1823, an improvement of more than $185,000 in its pecuniary affairs has been realized; that in the same interval the increase of the transportation of the mail has exceeded 1,500,000 miles annually, and that 1,040 new post-offices have been established. It hence appears that under judicious management the income from this establishment may be relied on as fully adequate to defray its expenses, and that by the discontinuance of post-roads altogether unproductive others of more useful character may be opened, till the circulation of the mail shall keep pace with the spread of our population, and the comforts of friendly correspondence, the exchanges of internal traffic, and the lights of the periodical press shall be distributed to the remotest corners of the Union, at a charge scarcely perceptible to any individual, and without the cost of a dollar to the public Treasury.

Upon this first occasion of addressing the Legislature of the Union, with which I have been honored, in presenting to their view the execution so far as it has been effected of the measures sanctioned by them for promoting the internal improvement of our country, I can not close the communication without recommending to their calm and persevering consideration the general principle in a more enlarged extent. The great object of the institution of civil government is the improvement of the condition of those who are parties to the social compact, and no government, in whatever form constituted, can accomplish the lawful ends of its institution but in proportion as it improves the condition of those over whom it is established. Roads and canals, by multiplying and facilitating the communications and intercourse between distant regions and multitudes of men, are among the most important means of improvement. But moral, political, intellectual improvement are duties assigned by the Author of Our Existence to social no less than to individual man. For the fulfillment of those duties governments are invested with power, and to the attainment of the end—the progressive improvement of the condition of the governed—the exercise of delegated powers is a duty as sacred and indispensable as the usurpation of powers not granted is criminal and odious. Among the first, perhaps the very first, instrument for the improvement of the condition of men is knowledge, and to the acquisition of much of the knowledge adapted to the wants, the comforts, and enjoyments of human life public institutions and seminaries of learning are essential. So convinced of this was the first of my predecessors in this office, now first in the memory, as, living, he was first in the hearts, of our countrymen, that once and again in his addresses to the Congresses with whom he cooperated in the public service he earnestly recommended the establishment of seminaries of learning, to prepare for all the emergencies of peace and war—a national university and a military academy. With respect to the latter, had he lived to the present day, in turning his eyes to the institution at West Point he would have enjoyed the gratification of his most earnest wishes; but in surveying the city which has been honored with his name he would have seen the spot of earth which he had destined and bequeathed to the use and benefit of his country as the site for an university still bare and barren.

In assuming her station among the civilized nations of the earth it would seem that our country had contracted the engagement to contribute her share of mind, of labor, and of expense to the improvement of those parts of knowledge which lie beyond the reach of individual acquisition, and particularly to geographical and astronomical science. Looking back to the history only of the half century since the declaration of our independence, and observing the generous emulation with which the Governments of France, Great Britain, and Russia have devoted the genius, the intelligence, the treasures of their respective nations to the common improvement of the species in these branches of science, is it not incumbent upon us to inquire whether we are not bound by obligations of a high and honorable character to contribute our portion of energy and exertion to the common stock? The voyages of discovery prosecuted in the course of that time at the expense of those nations have not only redounded to their glory, but to the improvement of human knowledge. We have been partakers of that improvement and owe for it a sacred debt, not only of gratitude, but of equal or proportional exertion in the same common cause. Of the cost of these undertakings, if the mere expenditures of outfit, equipment, and completion of the expeditions were to be considered the only charges, it would be unworthy of a great and generous nation to take a second thought. One hundred expeditions of circumnavigation like those of Cook and La Pérouse would not burden the exchequer of the nation fitting them out so much as the ways and means of defraying a single campaign in war. But if we take into the account the lives of those benefactors of mankind of which their services in the cause of their species were the purchase, how shall the cost of those heroic enterprises be estimated, and what compensation can be made to them or to their countries for them? Is it not by bearing them in affectionate remembrance? Is it not still more by imitating their example—by enabling countrymen of our own to pursue the same career and to hazard their lives in the same cause?

In inviting the attention of Congress to the subject of internal improvements upon a view thus enlarged it is not my design to recommend the equipment of an expedition for circumnavigating the globe for purposes of scientific research and inquiry. We have objects of useful investigation nearer home, and to which our cares may be more beneficially applied. The interior of our own territories has yet been very imperfectly explored. Our coasts along many degrees of latitude upon the shores of the Pacific Ocean, though much frequented by our spirited commercial navigators, have been barely visited by our public ships. The River of the West, first fully discovered and navigated by a countryman of our own, still bears the name of the ship in which he ascended its waters, and claims the protection of our armed national flag at its mouth. With the establishment of a military post there or at some other point of that coast, recommended by my predecessor and already matured in the deliberations of the last Congress, I would suggest the expediency of connecting the equipment of a public ship for the exploration of the whole northwest coast of this continent.

The establishment of an uniform standard of weights and measures was one of the specific objects contemplated in the formation of our Constitution, and to fix that standard was one of the powers delegated by express terms in that instrument to Congress. The Governments of Great Britain and France have scarcely ceased to be occupied with inquiries and speculations on the same subject since the existence of our Constitution, and with them it has expanded into profound, laborious, and expensive researches into the figure of the earth and the comparative length of the pendulum vibrating seconds in various latitudes from the equator to the pole. These researches have resulted in the composition and publication of several works highly interesting to the cause of science. The experiments are yet in the process of performance. Some of them have recently been made on our own shores, within the walls of one of our own colleges, and partly by one of our own fellow-citizens. It would be honorable to our country if the sequel of the same experiments should be countenanced by the patronage of our Government, as they have hitherto been by those of France and Britain.

Connected with the establishment of an university, or separate from it, might be undertaken the erection of an astronomical observatory, with provision for the support of an astronomer, to be in constant attendance of observation upon the phenomena of the heavens, and for the periodical publication of his observations. It is with no feeling of pride as an American that the remark may be made that on the comparatively small territorial surface of Europe there are existing upward of 130 of these light-houses of the skies, while throughout the whole American hemisphere there is not one. If we reflect a moment upon the discoveries which in the last four centuries have been made in the physical constitution of the universe by the means of these buildings and of observers stationed in them, shall we doubt of their usefulness to every nation? And while scarcely a year passes over our heads without bringing some new astronomical discovery to light, which we must fain receive at second hand from Europe, are we not cutting ourselves off from the means of returning light for light while we have neither observatory nor observer upon our half of the globe and the earth revolves in perpetual darkness to our unsearching eyes?

When, on the 25th of October, 1791, the first President of the United States announced to Congress the result of the first enumeration of the inhabitants of this Union, he informed them that the returns gave the pleasing assurance that the population of the United States bordered on 4,000,000 persons. At the distance of thirty years from that time the last enumeration, five years since completed, presented a population bordering upon 10,000,000. Perhaps of all the evidences of a prosperous and happy condition of human society the rapidity of the increase of population is the most unequivocal. But the demonstration of our prosperity rests not alone upon this indication. Our commerce, our wealth, and the extent of our territories have increased in corresponding proportions, and the number of independent communities associated in our Federal Union has since that time nearly doubled. The legislative representation of the States and people in the two Houses of Congress has grown with the growth of their constituent bodies. The House, which then consisted of 65 members, now numbers upward of 200. The Senate, which consisted of 26 members, has now 48. But the executive and, still more, the judiciary departments are yet in a great measure confined to their primitive organization, and are now not adequate to the urgent wants of a still growing community.

The naval armaments, which at an early period forced themselves upon the necessities of the Union, soon led to the establishment of a Department of the Navy. But the Departments of Foreign Affairs and of the Interior, which early after the formation of the Government had been united in one, continue so united to this time, to the unquestionable detriment of the public service. The multiplication of our relations with the nations and Governments of the Old World has kept pace with that of our population and commerce, while within the last ten years a new family of nations in our own hemisphere has arisen among the inhabitants of the earth, with whom our intercourse, commercial and political, would of itself furnish occupation to an active and industrious department. The constitution of the judiciary, experimental and imperfect as it was even in the infancy of our existing Government, is yet more inadequate to the administration of national justice at our present maturity. Nine years have elapsed since a predecessor in this office, now not the last, the citizen who, perhaps, of all others throughout the Union contributed most to the formation and establishment of our Constitution, in his valedictory address to Congress, immediately preceding his retirement from public life, urgently recommended the revision of the judiciary and the establishment of an additional executive department. The exigencies of the public service and its unavoidable deficiencies, as now in exercise, have added yearly cumulative weight to the considerations presented by him as persuasive to the measure, and in recommending it to your deliberations I am happy to have the influence of his high authority in aid of the undoubting convictions of my own experience.

The laws relating to the administration of the Patent Office are deserving of much consideration and perhaps susceptible of some improvement. The grant of power to regulate the action of Congress upon this subject has specified both the end to be obtained and the means by which it is to be effected, "to promote the progress of science and useful arts by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries." If an honest pride might be indulged in the reflection that on the records of that office are already found inventions the usefulness of which has scarcely been transcended in the annals of human ingenuity, would not its exultation be allayed by the inquiry whether the laws have effectively insured to the inventors the reward destined to them by the Constitution—even a limited term of exclusive right to their discoveries?

On the 24th of December, 1799, it was resolved by Congress that a marble monument should be erected by the United States in the Capitol at the city of Washington; that the family of General Washington should be requested to permit his body to be deposited under it, and that the monument be so designed as to commemorate the great events of his military and political life. In reminding Congress of this resolution and that the monument contemplated by it remains yet without execution, I shall indulge only the remarks that the works at the Capitol are approaching to completion; that the consent of the family, desired by the resolution, was requested and obtained; that a monument has been recently erected in this city over the remains of another distinguished patriot of the Revolution, and that a spot has been reserved within the walls where you are deliberating for the benefit of this and future ages, in which the mortal remains may be deposited of him whose spirit hovers over you and listens with delight to every act of the representatives of his nation which can tend to exalt and adorn his and their country.

The Constitution under which you are assembled is a charter of limited powers. After full and solemn deliberation upon all or any of the objects which, urged by an irresistible sense of my own duty, I have recommended to your attention should you come to the conclusion that, however desirable in themselves, the enactment of laws for effecting them would transcend the powers committed to you by that venerable instrument which we are all bound to support, let no consideration induce you to assume the exercise of powers not granted to you by the people. But if the power to exercise exclusive legislation in all cases whatsoever over the District of Columbia; if the power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States; if the power to regulate commerce with foreign nations and among the several States and with the Indian tribes, to fix the standard of weights and measures, to establish post-offices and post-roads, to declare war, to raise and support armies, to provide and maintain a navy, to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States, and to make all laws which shall be necessary and proper for carrying these powers into execution—if these powers and others enumerated in the Constitution may be effectually brought into action by laws promoting the improvement of agriculture, commerce, and manufactures, the cultivation and encouragement of the mechanic and of the elegant arts, the advancement of literature, and the progress of the sciences, ornamental and profound, to refrain from exercising them for the benefit of the people themselves would be to hide in the earth the talent committed to our charge—would be treachery to the most sacred of trusts.

The spirit of improvement is abroad upon the earth. It stimulates the hearts and sharpens the faculties not of our fellow-citizens alone, but of the nations of Europe and of their rulers. While dwelling with pleasing satisfaction upon the superior excellence of our political institutions, let us not be unmindful that liberty is power; that the nation blessed with the largest portion of liberty must in proportion to its numbers be the most powerful nation upon earth, and that the tenure of power by man is, in the moral purposes of his Creator, upon condition that it shall be exercised to ends of beneficence, to improve the condition of himself and his fellow-men. While foreign nations less blessed with that freedom which is power than ourselves are advancing with gigantic strides in the career of public improvement, were we to slumber in indolence or fold up our arms and proclaim to the world that we are palsied by the will of our constituents, would it not be to cast away the bounties of Providence and doom ourselves to perpetual inferiority? In the course of the year now drawing to its close we have beheld, under the auspices and at the expense of one State of this Union, a new university unfolding its portals to the sons of science and holding up the torch of human improvement to eyes that seek the light. We have seen under the persevering and enlightened enterprise of another State the waters of our Western lakes mingle with those of the ocean. If undertakings like these have been accomplished in the compass of a few years by the authority of single members of our Confederation, can we, the representative authorities of the whole Union, fall behind our fellow-servants in the exercise of the trust committed to us for the benefit of our common sovereign by the accomplishment of works important to the whole and to which neither the authority nor the resources of any one State can be adequate?

Finally, fellow-citizens, I shall await with cheering hope and faithful cooperation the result of your deliberations, assured that, without encroaching upon the powers reserved to the authorities of the respective States or to the people, you will, with a due sense of your obligations to your country and of the high responsibilities weighing upon yourselves, give efficacy to the means committed to you for the common good. And may He who searches the hearts of the children of men prosper your exertions to secure the blessings of peace and promote the highest welfare of our country.

JOHN QUINCY ADAMS.

SPECIAL MESSAGES.

WASHINGTON, *December 14, 1825*.

To the Senate of the United States:

I transmit to the Senate, for their consideration and advice with regard to their ratification, the following treaties:

1. A treaty between the United States and the Great and Little Osage tribes of Indians, concluded at St. Louis, in the State of Missouri, on the 2d day of June last, by William Clark, Superintendent of Indian Affairs, commissioner on the part of the United States, and the chiefs, headmen, and warriors of the same tribes, duly authorized and empowered by their respective tribes or nations.

2. A treaty between the United States and the Kanzas Nation of Indians, concluded at St. Louis, in the State of Missouri, on the 3d day of June last, by William Clark, Superintendent of Indian Affairs, commissioner on the part of the United States, and the chiefs, headmen, and warriors of the said nation, duly authorized and empowered by the same.

3. A convention between the United States and the Shawnee Nation of Indians residing within the State of Missouri, signed at St. Louis, in the State of Missouri, on the 7th day of November last, by William Clark, Superintendent of Indian Affairs, and the chiefs and headmen of the said nation, duly authorized and empowered by the same.

JOHN QUINCY ADAMS.

WASHINGTON, *December 15, 1825*.

To the Senate of the United States:

I transmit herewith to the Senate, for their consideration in reference to its ratification, a general convention of peace, amity, commerce, and navigation between the United States of America and the Federation of the Centre of America, signed at this place on the 5th instant by the Secretary of State and the minister plenipotentiary from the Republic of Central America to the United States.

JOHN QUINCY ADAMS.

WASHINGTON, *December 26, 1825.*

To the Senate of the United States:

In the message to both Houses of Congress at the commencement of the session it was mentioned that the Governments of the Republics of Colombia, of Mexico, and of Central America had severally invited the Government of the United States to be represented at the Congress of American nations to be assembled at Panama to deliberate upon objects of peculiar concernment to this hemisphere, and that this invitation had been accepted.

Although this measure was deemed to be within the constitutional competency of the Executive, I have not thought proper to take any step in it before ascertaining that my opinion of its expediency will concur with that of both branches of the Legislature, first, by the decision of the Senate upon the nominations to be laid before them, and, secondly, by the sanction of both Houses to the appropriations, without which it can not be carried into effect.

A report from the Secretary of State and copies of the correspondence with the South American Governments on this subject since the invitation given by them are herewith transmitted to the Senate. They will disclose the objects of importance which are expected to form a subject of discussion at this meeting, in which interests of high importance to this Union are involved. It will be seen that the United States neither intend nor are expected to take part in any deliberations of a belligerent character; that the motive of their attendance is neither to contract alliances nor to engage in any undertaking or project importing hostility to any other nation.

But the Southern American nations, in the infancy of their independence, often find themselves in positions with reference to other countries with the principles applicable to which, derivable from the state of independence itself, they have not been familiarized by experience. The result of this has been that sometimes in their intercourse with the United States they have manifested dispositions to reserve a right of granting special favors and privileges to the Spanish nation as the price of their recognition. At others they have actually established duties and impositions operating unfavorably to the United States to the advantage of other European powers, and sometimes they have appeared to consider that they might interchange among themselves mutual concessions of exclusive favor, to which neither European powers nor the United States should be admitted. In most of these cases their regulations unfavorable to us have yielded to friendly expostulation and remonstrance. But it is believed to be of infinite moment that the principles of a liberal commercial intercourse should be exhibited to them, and urged with disinterested and friendly persuasion upon them when all assembled for the avowed purpose of consulting together upon the establishment of such principles as may have an important bearing upon their future welfare.

The consentaneous adoption of principles of maritime neutrality, and favorable to the navigation of peace, and commerce in time of war, will also form a subject of consideration to this Congress. The doctrine that free ships make free goods and the restrictions of reason upon the extent of blockades may be established by general agreement with far more ease, and perhaps with less danger, by the general engagement to adhere to them concerted at such a meeting, than by partial treaties or conventions with each of the nations separately. An agreement between all the parties represented at the meeting that each will guard by its own means against the establishment of any future European colony within its borders may be found advisable. This was more than two years since announced by my predecessor to the world as a principle resulting from the emancipation of both the American continents. It may be so developed to the new southern nations that they will all feel it as an essential appendage to their independence.

There is yet another subject upon which, without entering into any treaty, the moral influence of the United States may perhaps be exerted with beneficial consequences at such a meeting—the advancement of religious liberty. Some of the southern nations are even yet so far under the dominion of prejudice that they have incorporated with their political constitutions an exclusive church, without toleration of any other than the dominant sect. The abandonment of this last badge of religious bigotry and oppression may be pressed more effectually by the united exertions of those who concur in the principles of freedom of conscience upon those who are yet to be convinced of their justice and wisdom than by the solitary efforts of a minister to any one of the separate Governments.

The indirect influence which the United States may exercise upon any projects or purposes originating in the war in which the southern Republics are still engaged, which might seriously affect the interests of this Union, and the good offices by which the United States may ultimately contribute to bring that war to a speedier termination, though among the motives which have convinced me of the propriety of complying with this invitation, are so far contingent and eventual that it would be improper to dwell upon them more at large.

In fine, a decisive inducement with me for acceding to the measure is to show by this token of respect to the southern Republics the interest that we take in their welfare and our disposition to comply with their wishes. Having been the first to recognize their independence, and sympathized with them so far as was compatible with our neutral duties in all their struggles and sufferings to acquire it, we have laid the foundation of our future intercourse with them in the broadest principles of reciprocity and the most cordial feelings of fraternal friendship. To extend those principles to all our commercial relations with them and to hand down that friendship to future ages is congenial to the highest policy of the Union, as it will be to that of all those nations and their posterity. In the confidence that these sentiments will meet the approbation of the Senate, I nominate Richard C. Anderson, of Kentucky, and John Sergeant, of Pennsylvania, to be envoys extraordinary and ministers plenipotentiary to the assembly of American nations at Panama, and William B. Rochester, of New York, to be secretary to the mission.

JOHN QUINCY ADAMS.

WASHINGTON, *December 27, 1825*.

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives of the 20th instant, I now transmit a copy of the message of President Jefferson to both Houses of Congress on the 18th of January, 1803, recommending an exploring expedition across this continent.* It will be perceived on the perusal of this message that it was confidential, for which reason the copy of it is now communicated in the same manner, leaving to the judgment of the House to determine whether any adequate reason yet remains for withholding it from publication. I possess no other document or information in relation to the same subject which I consider as coming within the scope of the resolution of the House.

JOHN QUINCY ADAMS.

WASHINGTON, *December 27, 1825*.

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives of the 20th instant, I transmit herewith a report from the Secretary of State, with copies of such portions of the correspondence between the United States and Great Britain on the subject of the convention for suppressing the slave trade as have not heretofore been, and which can be communicated without detriment to the public interest.

JOHN QUINCY ADAMS.

WASHINGTON, *December 27, 1825*.

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives of the 23d instant, I transmit herewith a report from the Secretary of War, with the correspondence between the Department of War and Generals Pinckney and Jackson, and all the instructions given to the said Generals Pinckney and Jackson relating to the treaty with the Creek Indians, afterwards made at Fort Jackson, so far as the same can be communicated without prejudice to the public interest.

JOHN QUINCY ADAMS.

---

*See Vol. I, pp. 340 to 342, inclusive.

WASHINGTON, *January 3, 1826.*

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives of the 23d of last month, I communicate herewith a report from the Secretary of War, with the documents touching the treaty with the Cherokee Indians, ratified in 1819, by which the Cherokee title to a portion of lands within the limits of North Carolina was extinguished.

JOHN QUINCY ADAMS.

WASHINGTON, *January 9, 1826.*

To the Senate of the United States:

In compliance with a resolution of the Senate of the 3d instant, I communicate herewith, in confidence, a report* from the Secretary of State, with translations of the conventions and documents, containing information of the nature referred to in the said resolution.

JOHN QUINCY ADAMS.

WASHINGTON, *January 9, 1826.*

To the Senate of the United States:

I transmit to the Senate, for their consideration and advice with regard to the ratification, the following treaties:

1. A treaty signed at the Poncar village at the mouth of White Point Creek, the first below the Qui Carre River, on the 9th of June, 1825, by Brigadier-General Henry Atkinson and Major Benjamin O'Fallon, commissioners on the part of the United States, and certain chiefs, headmen, and warriors of the Poncar tribe of Indians on the part of said tribe.

2. A treaty signed at Fort Look-out, near the Three Rivers of the Sioux Pass, on the 22d June, 1825, by the same commissioners on the part of the United States and certain chiefs, headmen, and warriors of the Teton, Yancton, and Yanctonies bands of the Sioux tribe of Indians on the part of the said bands.

3. A treaty signed at the mouth of the Teton River on the 5th of July, 1825, by the same commissioners on the part of the United States and by certain chiefs, headmen, and warriors of the Sione and Ogalla bands of Sioux Indians, and on the 12th of July, 1825, at Camp Hidden Creek, by chiefs and warriors of the Siounes of the Fireheart's band on the part of their respective bands.

4. A treaty signed at the mouth of the Teton River on the 6th of July, 1825, by the same commissioners on the part of the United States and by certain chiefs, headmen, and warriors of the Chayenne tribe of Indians on the part of said tribe.

---

* Relating to the proposed congress at Panama.

5. A treaty signed at the Auricara village on the 16th July, 1825, by the same commissioners on the part of the United States and by certain chiefs, headmen, and warriors of the Hunkpapas band of the Sioux tribe of Indians on the part of said band.

6. A treaty signed at the Ricara village on the 18th July, 1825, by the same commissioners on the part of the United States and by certain chiefs, headmen, and warriors of the Ricara tribe of Indians on the part of said tribe.

7. A treaty signed at the Mandan village on the 30th of July, 1825, by the same commissioners on the part of the United States and by certain chiefs and warriors of the Mandan tribe of Indians on the part of said tribe.

8. A treaty signed at the lower Mandan village on the 30th of July, 1825, by the same commissioners on the part of the United States and by certain chiefs and warriors of the Belantse Etea, or Minnetaree, tribe of Indians on the part of said tribe.

9. A treaty signed at the Mandan village on the 4th of August, 1825, by the same commissioners on the part of the United States and by certain chiefs and warriors of the Crow tribe of Indians on the part of said tribe.

10. A treaty signed at Fort Atkinson, Council Bluffs, on the 25th of September, 1825, by the same commissioners on the part of the United States and by certain chiefs, headmen, and warriors of the Ottoe and Missouri tribe of Indians on the part of said tribe.

11. A treaty signed at Fort Atkinson, Council Bluffs, on the 30th of September, 1825, by the same commissioners on the part of the United States and by certain chiefs, headmen, and warriors of the Pawnee tribe of Indians on the part of said tribe.

12. A treaty signed at Fort Atkinson, Council Bluffs, on the 6th of October, 1825, by the same commissioners on the part of the United States and by certain chiefs, headmen, and warriors of the Maha tribe of Indians on the part of said tribe.

JOHN QUINCY ADAMS.

WASHINGTON, *January 10, 1826*.

To the Senate of the United States:

I transmit to the Senate a treaty signed at Prairie des Chiens, in the Territory of Michigan, on the 19th of August, 1825, by William Clark and Lewis Cass, commissioners on the part of the United States, and certain chiefs and warriors of the Sioux, Chippeways, Socs, Foxes, Winnebagoes, Menominies, Ottoways, Potawatamies, and Ioway tribes of Indians on the part of said tribes, and I request the advice of the Senate with regard to its ratification.

JOHN QUINCY ADAMS.

WASHINGTON, *January 20, 1826*.

To the House of Representatives of the United States:

In compliance with the resolution of the House of Representatives of the 23d ultimo, I transmit herewith reports* from the Secretary of War and the Commissioner of the General Land Office, with the statements desired by the resolution.

JOHN QUINCY ADAMS.

WASHINGTON, *January 23, 1826*.

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives of the 27th December last, requesting a statement of moneys paid out of the public Treasury to the late President of the United States as compensation for his services in various other offices which he has filled under the Government of the United States, and on other accounts, and also of claims for allowances made by him upon the Government which have been disallowed, I transmit herewith a report from the Secretary of the Treasury, with documents, containing the information desired by the resolution.

JOHN QUINCY ADAMS.

WASHINGTON, *January 24, 1826*.

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives of the 12th December last, I transmit herewith a report from the Secretary of the Navy, with the documents and proceedings of the naval courts-martial in the cases of Captain Charles Stewart and of Lieutenants Joshua R. Sands and William M. Hunter.

JOHN QUINCY ADAMS.

WASHINGTON, *January 30, 1826*.

To the Senate of the United States:

I transmit herewith to the Senate, for their consideration and advice with regard to their ratification—

1. A treaty concluded on the 10th day of August, 1825, at Council Grove by Benjamin H. Reeves, George C. Sibley, and Thomas Mather, commissioners on the part of the United States, and certain chiefs and headmen of the Great and Little Osage tribes of Indians on the part of the said tribe.

2. A treaty concluded on the 16th day of August, 1825, at the Sora Kanzas Creek by the same commissioners on the part of the United States and certain chiefs and headmen of the Kanzas tribe or nation of Indians on the part of said tribe.

JOHN QUINCY ADAMS.

---

* Relating to land warrants issued to soldiers of the Revolutionary war, etc.

WASHINGTON, *January 31, 1826*

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives of the 18th instant, I transmit a report from the Secretary of State, with the correspondence with the British Government, relating to the boundary of the United States on the Pacific Ocean, desired by the resolution.

JOHN QUINCY ADAMS.

WASHINGTON, *January 31, 1826.*

To the Senate of the United States:

I transmit herewith to the Senate, for their consideration and advice with regard to its ratification, a treaty concluded by the Secretary of War, duly authorized thereto, with the chiefs and headmen of the Creek Nation, deputed by them, and now in this city.

It has been agreed upon, and is presented to the consideration of the Senate as a substitute for the treaty signed at the Indian Springs on the 12th of February last. The circumstances under which this received on the 3d of March last your advice and consent to its ratification are known to you. It was transmitted to me from the Senate on the 5th of March, and ratified in full confidence yielded to the advice and consent of the Senate, under a firm belief, founded on the journal of the commissioners of the United States and on the express statements in the letter of one of them of the 16th of February to the then Secretary of War, that it had been concluded with a large majority of the chiefs of the Creek Nation and with a reasonable prospect of immediate acquiescence by the remainder.

This expectation has not merely been disappointed. The first measures for carrying the treaty into execution had scarcely been taken when the two principal chiefs who had signed it fell victims to the exasperation of the great mass of the nation, and their families and dependents, far from being able to execute the engagements on their part, fled for life, safety, and subsistence from the territories which they had assumed to cede, to our own. Yet, in this fugitive condition, and while subsisting on the bounty of the United States, they have been found advancing pretensions to receive exclusively to themselves the whole of the sums stipulated by the commissioners of the United States in payment *for all* the lands of the Creek Nation which were ceded by the terms of the treaty. And they have claimed the stipulation of the eighth article, that the United States would "*protect* the emigrating party against the encroachments, hostilities, and impositions of the whites and of all others," as an engagement by which the United States were bound to become the instruments of their vengeance and to inflict upon the majority of the Creek Nation the punishment of Indian retribution to gratify the vindictive fury of an impotent and helpless minority of their own tribe.

In this state of things the question is not whether the treaty of the 12th of February last shall or shall not be executed. So far as the United States were or could be bound by it I have been anxiously desirous of carrying it into execution. But, like other treaties, its fulfillment depends upon the will not of one but of both the parties to it. The parties on the face of the treaty are the United States and the Creek Nation, and however desirous one of them may be to give it effect, this wish must prove abortive while the other party refuses to perform its stipulations and disavows its obligations. By the refusal of the Creek Nation to perform their part of the treaty the United States are absolved from all its engagements on their part, and the alternative left them is either to resort to measures of war to secure by force the advantages stipulated to them in the treaty or to attempt the adjustment of the interest by a new compact. In the preference dictated by the nature of our institutions and by the sentiments of justice and humanity which the occasion requires for measures of peace the treaty herewith transmitted has been concluded, and is submitted to the decision of the Senate. After exhausting every effort in our power to obtain the acquiescence of the Creek Nation to the treaty of the 12th of February, I entertained for some time the hope that their assent might at least have been given to a new treaty, by which all their lands within the State of Georgia should have been ceded. This has also proved impracticable, and although the excepted portion is of comparatively small amount and importance, I have assented to its exception so far as to place it before the Senate only from a conviction that between it and a resort to the forcible expulsion of the Creeks from their habitations and lands within the State of Georgia there was no middle term.

The deputation with which this treaty has been concluded consists of the principal chiefs of the nation—able not only to negotiate but to carry into effect the stipulations to which they have agreed. There is a deputation also here from the small party which undertook to contract for the whole nation at the treaty of the 12th of February, but the number of which, according to the information collected by General Gaines, does not exceed 400. They represent themselves, indeed, to be far more numerous, but whatever their number may be their interests have been provided for in the treaty now submitted. Their subscriptions to it would also have been received but for unreasonable pretensions raised by them after all the arrangements of the treaty had been agreed upon and it was actually signed. Whatever their merits may have been in the facility with which they ceded all the lands of their nation within the State of Georgia, their utter inability to perform the engagements which they so readily contracted and the exorbitancy of their demands when compared with the inefficiency of their own means of performance leave them with no claims upon the United States other than of impartial and rigorous justice.

In referring to the impressions under which I ratified the treaty of the 12th of February last, I do not deem it necessary to decide upon the propriety of the manner in which it was negotiated. Deeply regretting the criminations and recriminations to which these events have given rise, I believe the public interest will best be consulted by discarding them altogether from the discussion of the subject. The great body of the Creek Nation inflexibly refuse to acknowledge or to execute that treaty. Upon this ground it will be set aside, should the Senate advise and consent to the ratification of that now communicated, without looking back to the means by which the other was effected. And in the adjustment of the terms of the present treaty I have been peculiarly anxious to dispense a measure of great liberality to both parties of the Creek Nation, rather than to extort from them a bargain of which the advantages on our part could only be purchased by hardship on theirs.

JOHN QUINCY ADAMS.

WASHINGTON, *February 1, 1826*.

To the Senate of the United States:

In compliance with a resolution of the Senate of the 30th ultimo, I communicate herewith, in confidence, a report* from the Secretary of State, with the documents, containing the information desired by the resolution.

JOHN QUINCY ADAMS.

WASHINGTON, *February 7, 1826*.

To the Senate of the United States:

In compliance with a resolution of the Senate of the 15th of December last, I communicate herewith reports from the Secretaries of the Treasury and War and from the Commissioner of the General Land Office, with documents, relating to the lead mines and salt springs, containing the information desired by the resolution.

JOHN QUINCY ADAMS.

WASHINGTON, *February 14, 1826*.

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives of the 12th ultimo, I transmit herewith a report from the Secretary of the Navy, with the statements relating to naval courts of inquiry and courts-martial since the 1st January, 1824, requested by the resolution.

JOHN QUINCY ADAMS.

WASHINGTON, *February 15, 1826*.

To the House of Representatives of the United States:

I transmit to the House of Representatives a report from the late Secretary of War to the late President of the United States, with documents, containing information requested by a resolution of the House of April 10, 1824, relating to the purchases of real estate in behalf of the United States within the territorial limits of any State since the 4th July, 1776.

---

* Relating to intervention of the Emperor of Russia with Spain for a recognition of the independence of the South American States.

These papers were prepared during the last session of Congress, but by some accident were not then communicated to the House.

JOHN QUINCY ADAMS.

WASHINGTON, *February 16, 1826.*

To the Senate of the United States:

In answer to the two resolutions of the Senate of the 15th instant, marked executive, and which I have received, I state respectfully that all the communications from me to the Senate relating to the congress at Panama have been made, like all other communications upon executive business, *in confidence*, and most of them in compliance with a resolution of the Senate requesting them confidentially. Believing that the established usage of free confidential communication between the Executive and the Senate ought for the public interest to be preserved unimpaired, I deem it my indispensable duty to leave to the Senate itself the decision of a question involving a departure hitherto, so far as I am informed, without example from that usage, and upon the motives for which, not being informed of them, I do not feel myself competent to decide.

JOHN QUINCY ADAMS.

WASHINGTON, *February 17, 1826.*

To the House of Representatives of the United States:

I transmit herewith a report from the Secretary of the Navy, with a further document, prepared in compliance with a resolution of the House of the 10th of April, 1824, and containing information relating to purchasers of real estate in behalf of the United States within the territorial limits of any State since the 4th of July, 1776.

JOHN QUINCY ADAMS.

WASHINGTON, *February 17, 1826.*

To the Senate and House of Representatives of the United States:

I transmit herewith to both Houses of Congress a letter from the Secretary of War, with a report from the Ordnance Department, relating to the site of the arsenal of the United States at Augusta, in Georgia, and with regard to which the interposition of the legislative authority is submitted to your consideration as desirable.

JOHN QUINCY ADAMS.

WASHINGTON, *March 1, 1826.*

To the Senate and House of Representatives of the United States:

I communicate to Congress a letter from the Secretary of War, together with a representation from Colonel Brooke, relating to the present condition of the Indians in Florida, and which I recommend to the favorable consideration of Congress.

JOHN QUINCY ADAMS.

WASHINGTON, *March 1, 1826.*

To the House of Representatives of the United States:

A resolution of the House of Representatives adopted at the first session of the Eighteenth Congress, and bearing date the 6th of May, 1824, requested the President of the United States to lay before the House at their then next session a detailed report of the system and plan of fortifications then contemplated and recommended by the Board of Engineers, with various particulars specified in the resolution; and on the 5th of January last a further resolution was adopted requesting similar information. I transmit herewith a report from the Secretary of War, with a letter from the Chief Engineer, and documents, containing, so far as it has been found practicable to obtain and compile it, the information requested by these resolutions.

JOHN QUINCY ADAMS.

WASHINGTON, *March 5, 1826.*

To the Senate and House of Representatives of the United States:

I now submit to the consideration of Congress the propriety of making the appropriation for carrying into effect the appointment of a mission to the congress at Panama.

JOHN QUINCY ADAMS.

WASHINGTON, *March 7, 1826.*

To the Senate and House of Representatives of the United States:

I communicate to both Houses of Congress a letter from the Secretary of War, together with copies of one to him from the Senators of the State of Maryland, and several other documents, relating to a claim of that State upon the Government of the United States for interest upon certain expenditures during the late war, which I the more readily recommend to the favorable and early consideration of Congress inasmuch as the principle upon which the claim is advanced appears to have been settled by the act of Congress of 3d March, 1825, authorizing the payment of interest due to the State of Virginia.

JOHN QUINCY ADAMS.

WASHINGTON, *March 8, 1826.*

To the House of Representatives of the United States:

I transmit to the House of Representatives a report from the Secretary of State, with the proceedings of the court and marshal of the United States for the district of Alabama, and other documents, in relation to the cargoes of certain slave ships, the *Constitution*, *Louisa*, and *Marino*, containing the information requested by a resolution of the House of February 16, 1825.

JOHN QUINCY ADAMS.

WASHINGTON, *March 8, 1826.*

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives of the 10th ultimo, requesting information relating to the proceedings of the joint commission of indemnities due under the award of the Emperor of Russia for slaves and other private property carried away by the British forces in violation of the treaty of Ghent, I transmit herewith a report from the Secretary of State and documents containing the information desired by the resolution.

JOHN QUINCY ADAMS.

WASHINGTON, *March 15, 1826.*

To the Senate and House of Representatives of the United States:

I communicate to Congress a letter from the Secretary of War and copies of a resolution of that legislature of the State of Georgia, with a correspondence of the governor of that State, relating to the running and establishing of the line between that State and Florida, which I recommend to the favorable consideration of Congress.

JOHN QUINCY ADAMS.

WASHINGTON, *March 15, 1826.*

To the House of Representatives of the United States:

In compliance with the resolution of the House of the 5th ultimo, requesting me to cause to be laid before the House so much of the correspondence between the Government of the United States and the new States of America, or their ministers, respecting the proposed congress or meeting of diplomatic agents at Panama, and such information respecting the general character of that expected congress as may be in my possession and as may, in my opinion, be communicated without prejudice to the public interest, and also to inform the House, so far as in my opinion the public interest may allow, in regard to what objects the agents of the United States are expected to take part in the deliberations of that congress, I now transmit to the House a report from the Secretary of State, with the correspondence and information requested by the resolution.

With regard to the objects in which the agents of the United States are expected to take part in the deliberations of that congress, I deem it proper to premise that these objects did not form the only, nor even the principal, motive for my acceptance of the invitation. My first and greatest inducement was to meet in the spirit of kindness and friendship an overture made in that spirit by three sister Republics of this hemisphere.

The great revolution in human affairs which has brought into existence, nearly at the same time, eight sovereign and independent nations in our own quarter of the globe has placed the United States in a situation not less novel and scarcely less interesting than that in which they had found themselves by their own transition from a cluster of colonies to a nation of sovereign States. The deliverance of the Southern American Republics from the oppression under which they had been so long afflicted was hailed with great unanimity by the people of this Union as among the most auspicious events of the age. On the 4th of May, 1822, an act of Congress made an appropriation of $100,000 "for such missions to the independent nations on the American continent as the President of the United States might deem proper." In exercising the authority recognized by this act my predecessor, by and with the advice and consent of the Senate appointed successively ministers plenipotentiary to the Republics of Colombia, Buenos Ayres, Chili, and Mexico. Unwilling to raise among the fraternity of freedom questions of precedency and etiquette, which even the European monarchs had of late found it necessary in a great measure to discard, he dispatched these ministers to Colombia, Buenos Ayres, and Chili without exacting from those Republics, as by the ancient principles of political primogeniture he might have done, that the compliment of a plenipotentiary mission should have been paid *first* by them to the United States. The instructions, prepared under his direction, to Mr. Anderson, the first of our ministers to the southern continent, contain at much length the general principles upon which he thought it desirable that our relations, political and commercial, with these our new neighbors should be established for their benefit and ours and that of the future ages of our posterity. A copy of so much of these instructions as relates to these general subjects is among the papers now transmitted to the House. Similar instructions were furnished to the ministers appointed to Buenos Ayres, Chili, and Mexico, and the system of social intercourse which it was the purpose of those missions to establish from the first opening of our diplomatic relations with those rising nations is the most effective exposition of the principles upon which the invitation to the congress at Panama has been accepted by me, as well as of the objects of negotiation at that meeting, in which it was expected that our plenipotentiaries should take part.

The House will perceive that even at the date of these instructions the first treaties between some of the southern Republics had been concluded, by which they had stipulated among themselves this diplomatic assembly at Panama. And it will be seen with what caution, so far as it might concern the policy of the United States, and at the same time with what frankness and good will toward those nations, he gave countenance to their design of inviting the United States to this high assembly for consultation upon *American interests*. It was not considered a conclusive reason for declining this invitation that the proposal for assembling such a Congress had not first been made by ourselves. It had sprung from the urgent, immediate, and momentous common interests of the great communities struggling for independence, and, as it were, quickening into life. From them the proposition to us appeared respectful and friendly; from us to them it could scarcely have been made without exposing ourselves to suspicions of purposes of ambition, if not of domination, more suited to rouse resistance and excite distrust than to conciliate favor and friendship. The first and paramount principle upon which it was deemed wise and just to lay the corner stone of all our future relations with them was *disinterestedness;* the next was cordial good will to them; the third was a claim of fair and equal reciprocity. Under these impressions when the invitation was formally and earnestly given, had it even been doubtful whether *any* of the objects proposed for consideration and discussion at the Congress were such as that immediate and important interests of the United States would be affected by the issue, I should, nevertheless, have determined so far as it depended upon me to have accepted the invitation and to have appointed ministers to attend the meeting. The proposal itself implied that the Republics by whom it was made *believed* that important interests of ours or of theirs rendered our attendance there desirable. They had given us notice that in the novelty of their situation and in the spirit of deference to our experience they would be pleased to have the benefit of our friendly counsel. To meet the temper with which this proposal was made with a cold repulse was not thought congenial to that warm interest in their welfare with which the people and Government of the Union had hitherto gone hand in hand through the whole progress of their revolution. To insult them by a refusal of their overture, and then invite them to a similar assembly to be called by ourselves, was an expedient which never presented itself to the mind. I would have sent ministers to the meeting had it been merely to give them such advice as they might have desired, even with reference to *their own* interests, not involving ours. I would have sent them had it been merely to explain and set forth to them our reasons for *declining* any proposal of specific measures to which they might desire our concurrence, but which we might deem incompatible with our interests or our duties. In the intercourse between nations temper is a missionary perhaps more powerful than talent. Nothing was ever lost by kind treatment. Nothing can be gained by sullen repulses and aspiring pretensions.

But objects of the highest importance, not only to the future welfare of the whole human race, but bearing directly upon the special interests of this Union, *will* engage the deliberations of the congress of Panama whether we are represented there or not. Others, if we are represented, may be offered by our plenipotentiaries for consideration having in view both these great results—our own interests and the improvement of the condition of man upon earth. It may be that in the lapse of many centuries no other opportunity so favorable will be presented to the Government of the United States to subserve the benevolent purposes of Divine Providence; to dispense the promised blessings of the Redeemer of Mankind; to promote the prevalence in future ages of peace on earth and good will to man, as will now be placed in their power by participating in the deliberations of this congress.

Among the topics enumerated in official papers published by the Republic of Colombia, and adverted to in the correspondence now communicated to the House, as intended to be presented for discussion at Panama, there is scarcely one in which the *result* of the meeting will not deeply affect the interests of the United States. Even those in which the belligerent States alone will take an active part will have a powerful effect upon the state of our relations with the American, and probably with the principal European, States. Were it merely that we might be correctly and speedily informed of the proceedings of the congress and of the progress and issue of their negotiations, I should hold it advisable that we should have an accredited agency with them, placed in such confidential relations with the other members as would insure the authenticity and the safe and early transmission of its reports. Of the same enumerated topics are the preparation of a manifesto setting forth to the world the justice of their cause and the relations they desire to hold with other Christian powers, and to form a convention of navigation and commerce applicable both to the confederated States and to their allies.

It will be within the recollection of the House that immediately after the close of the war of our independence a measure closely analogous to this congress of Panama was adopted by the Congress of our Confederation, and for purposes of precisely the same character. Three commissioners with plenipotentiary powers were appointed to negotiate treaties of amity, navigation, and commerce with all the principal powers of Europe. They met and resided for that purpose about one year at Paris, and the only result of their negotiations at that time was the first treaty between the United States and Prussia—memorable in the diplomatic annals of the world, and precious as a monument of the principles, in relation to commerce and maritime warfare, with which our country entered upon her career as a member of the great family of independent nations. This treaty, prepared in conformity with the instructions of the

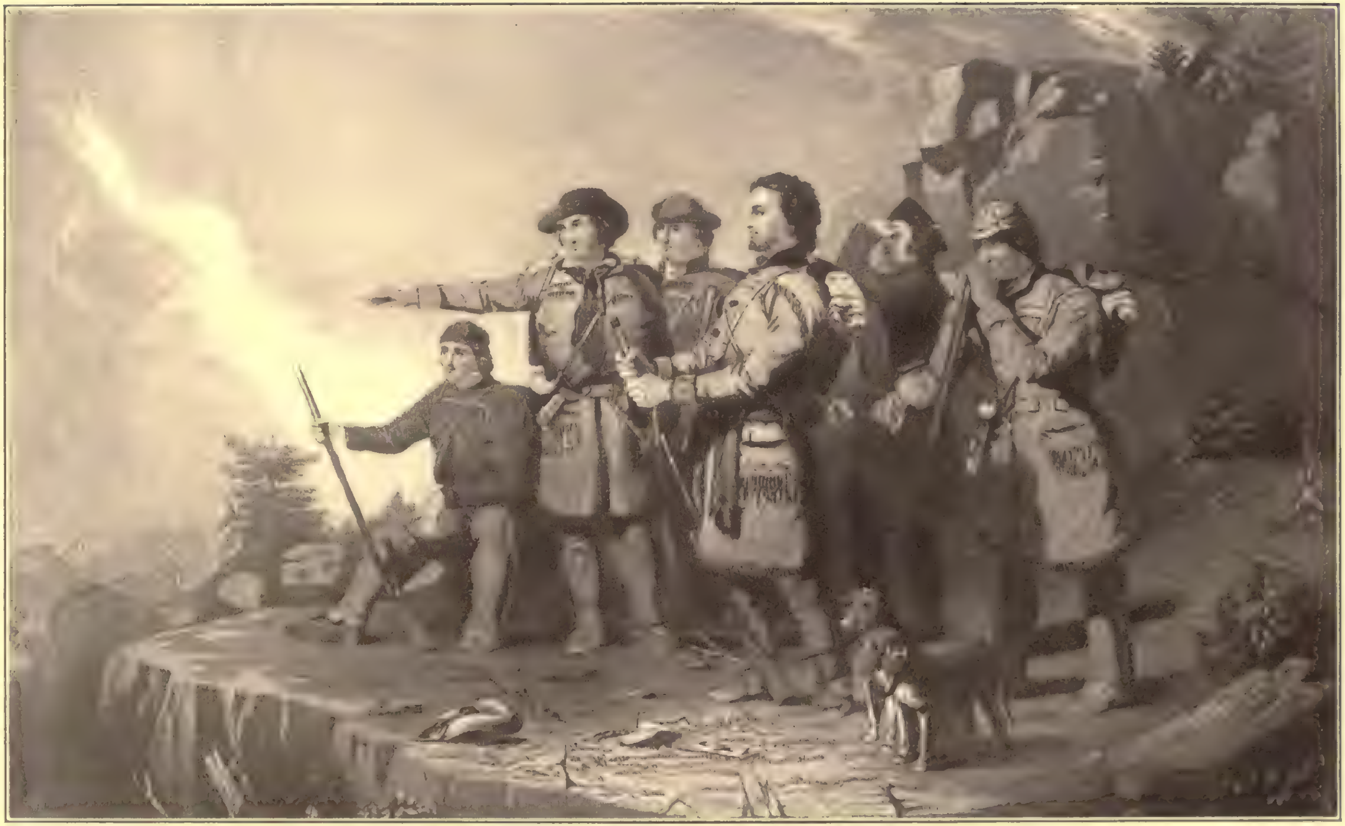
American plenipotentiaries, consecrated three fundamental principles of the foreign intercourse which the Congress of that period were desirous of establishing: First, equal reciprocity and the mutual stipulation of the privileges of the most favored nation in the commercial exchanges of peace; secondly, the abolition of private war upon the ocean, and thirdly, restrictions favorable to neutral commerce upon belligerent practices with regard to contraband of war and blockades. A painful, it may be said a calamitous, experience of more than forty years has demonstrated the deep importance of these same principles to the peace and prosperity of this nation and to the welfare of all maritime States, and has illustrated the profound wisdom with which they were assumed as cardinal points of the policy of the Union.

At that time in the infancy of their political existence, under the influence of those principles of liberty and of right so congenial to the cause in which they had just fought and triumphed, they were able but to obtain the sanction of one great and philosophical, though absolute, sovereign in Europe to their liberal and enlightened principles. They could obtain no more. Since then a political hurricane has gone over three-fourths of the civilized portions of the earth, the desolation of which it may with confidence be expected is passing away, leaving at least the American atmosphere purified and refreshed. And now at this propitious moment the new-born nations of this hemisphere, assembling by their representatives at the isthmus between its two continents to settle the principles of their future international intercourse with other nations and with us, ask in this great exigency for our advice upon those very fundamental maxims which we from our cradle at first proclaimed and partially succeeded to introduce into the code of national law.

Without recurring to that total prostration of all neutral and commercial rights which marked the progress of the late European wars, and which finally involved the United States in them, and adverting only to our political relations with these American nations, it is observable that while in all other respects those relations have been uniformly and without exception of the most friendly and mutually satisfactory character, the only causes of difference and dissension between us and them which ever have arisen originated in those never-failing fountains of discord and irritation—discriminations of commercial favor to other nations, licentious privateers, and paper blockades. I can not without doing injustice to the Republics of Buenos Ayres and Colombia forbear to acknowledge the candid and conciliatory spirit with which they have repeatedly yielded to our friendly representations and remonstrances on these subjects—in repealing discriminative laws which operated to our disadvantage and in revoking the commissions of their privateers, to which Colombia has added the magnanimity of making reparation for unlawful captures by some of her cruisers and of assenting in the midst of war to treaty stipulations favorable to neutral navigation. But the recurrence of these occasions of complaint has rendered the renewal of the discussions which result in the removal of them necessary, while in the meantime injuries are sustained by merchants and other individuals of the United States which can not be repaired, and the remedy lingers in overtaking the pernicious operation of the mischief. The settlement of general principles pervading with equal efficacy all the American States can alone put an end to these evils, and can alone be accomplished at the proposed assembly.

If it be true that the noblest treaty of peace ever mentioned in history is that by which the Carthagenians were bound to abolish the practice of sacrificing their own children *because it was stipulated in favor of human nature*, I can not exaggerate to myself the unfading glory with which these United States will go forth in the memory of future ages if by their friendly counsel, by their moral influence, by the power of argument and persuasion alone they can prevail upon the American nations at Panama to stipulate by general agreement among themselves, and so far as any of them may be concerned, the perpetual abolition of private war upon the ocean. And if we can not yet flatter ourselves that this may be accomplished, as advances toward it the establishment of the principle that the friendly flag shall cover the cargo, the curtailment of contraband of war, and the proscription of fictitious paper blockades—engagements which we may reasonably hope will not prove impracticable—will, if successfully inculcated, redound proportionally to our honor and drain the fountain of many a future sanguinary war.

The late President of the United States, in his message to Congress of the 2d December, 1823, while announcing the negotiation then pending with Russia, relating to the northwest coast of this continent, observed that the occasion of the discussions to which that incident had given rise had been taken for asserting as a principle in which the rights and interests of the United States were involved that the American continents, by the free and independent condition which they had assumed and maintained, were thenceforward not to be considered as subjects for future colonization by any European power. The principle had first been assumed in that negotiation with Russia. It rested upon a course of reasoning equally simple and conclusive. With the exception of the existing European colonies, which it was in nowise intended to disturb, the two continents consisted of several sovereign and independent nations, whose territories covered their whole surface. By this their independent condition the United States enjoyed the right of commercial intercourse with every part of their possessions. To attempt the establishment of a colony in those possessions would be to usurp to the exclusion of others a commercial intercourse which was the common possession of all. It could not be done without encroaching upon existing rights of the United States. The Government of Russia has never disputed these positions nor manifested the slightest dissatisfaction at their having been



THE VANGUARD OF WESTERN EXPANSION

THE VANGUARD OF WESTERN EXPANSION

The homebuilder did not strike out a path into the virgin forest and in a promising glade build his habitation. He came along in a process of evolution. Like foam on a wave, the vanguard of emigration was formed by pioneers, land jobbers and speculators. Hastening into the promising parts of the great West, they bought empires, without cash but on trust, as fast as surveyors could lay out townships. Then came a man whom they could induce to go no farther west but settle there, on the land they had for sale, which he might purchase with its timber or other produce. Completing the transaction they again rushed westward, and so continued toward the setting sun till the ague, Indians or hardship had killed them. Our purchaser meanwhile has cleared an acre, sowed a handful of wheat and girdled a dozen trees, but game does not seem sufficiently plentiful, and he won't know peace till he, too, is traveling westward. So after many exchanges, by each of which the clearing is improved, it falls into the hands of a man who determines that forevermore that glade in the forest, that bend in the stream, shall be home to him and his. Then the earth begins to bear fruit and so the wilderness is conquered.

Nearly every presidential message contains recommendations for the welfare of the emigrant. Under the heading, "Lands, Public," in the Encyclopedic Index, the story of the development of the West is told.

taken. Most of the new American Republics have declared their entire assent to them, and they now propose, among the subjects of consultation at Panama, to take into consideration the means of making effectual the assertion of that principle, as well as the means of resisting interference from abroad with the domestic concerns of the American Governments.

In alluding to these means it would obviously be premature at this time to anticipate that which is offered merely as matter for consultation, or to pronounce upon those measures which have been or may be suggested. The purpose of this Government is to concur in none which would import hostility to Europe or justly excite resentment in any of her States. Should it be deemed advisable to contract any conventional engagement on this topic, our views would extend no further than to a mutual pledge of the parties to the compact to maintain the principle in application to its own territory, and to permit no colonial lodgments or establishment of European jurisdiction upon its own soil; and with respect to the obtrusive interference from abroad—if its future character may be inferred from that which has been and perhaps still is exercised in more than one of the new States—a joint declaration of its character and exposure of it to the world may be probably all that the occasion would require. Whether the United States should or should not be parties to such a declaration may justly form a part of the deliberation. That there is an evil to be remedied needs little insight into the secret history of late years to know, and that this remedy may best be concerted at the Panama meeting deserves at least the experiment of consideration. A concert of measures having reference to the more effectual abolition of the African slave trade and the consideration of the light in which the political condition of the island of Hayti is to be regarded are also among the subjects mentioned by the minister from the Republic of Colombia as believed to be suitable for deliberation at the congress. The failure of the negotiations with that Republic undertaken during the late Administration, for the suppression of that trade, in compliance with a resolution of the House of Representatives, indicates the expediency of listening with respectful attention to propositions which may contribute to the accomplishment of the great end which was the purpose of that resolution, while the result of those negotiations will serve as admonition to abstain from pledging this Government to any arrangement which might be expected to fail of obtaining the advice and consent of the Senate by a constitutional majority to its ratification.

Whether the political condition of the island of Hayti shall be brought at all into discussion at the meeting may be a question for preliminary advisement. There are in the political constitution of Government of that people circumstances which have hitherto forbidden the acknowledgment of them by the Government of the United States as sovereign and independent. Additional reasons for withholding that acknowledgment have recently been seen in their acceptance of a nominal sovereignty by the *grant* of a foreign prince under conditions equivalent to the concession by them of exclusive commercial advantages to one nation, adapted altogether to the state of colonial vassalage and retaining little of independence but the name. Our plenipotentiaries will be instructed to present these views to the assembly at Panama, and should they not be concurred in to decline acceding to any arrangement which may be proposed upon different principles.

The condition of the islands of Cuba and Porto Rico is of deeper import and more immediate bearing upon the present interests and future prospects of our Union. The correspondence herewith transmitted will show how earnestly it has engaged the attention of this Government. The invasion of both those islands by the united forces of Mexico and Colombia is avowedly among the objects to be matured by the belligerent States at Panama. The convulsions to which, from the peculiar composition of their population, they would be liable in the event of such an invasion, and the danger therefrom resulting of their falling ultimately into the hands of some European power other than Spain, will not admit of our looking at the consequences to which the congress at Panama may lead with indifference. It is unnecessary to enlarge upon this topic or to say more than that all our efforts in reference to this interest will be to preserve the existing state of things, the tranquillity of the islands, and the peace and security of their inhabitants.

And lastly, the congress of Panama is believed to present a fair occasion for urging upon all the new nations of the south the just and liberal principles of religious liberty; not by any interference whatever in their internal concerns, but by claiming for our citizens whose occupations or interests may call them to occasional residence in their territories the inestimable privilege of worshipping their Creator according to the dictates of their own consciences. This privilege, sanctioned by the customary law of nations and secured by treaty stipulations in numerous national compacts, secured even to our own citizens in the treaties with Colombia and with the Federation of Central America, is yet to be obtained in the other South American States and Mexico. Existing prejudices are still struggling against it, which may, perhaps, be more successfully combated at this general meeting than at the separate seats of Government of each Republic.

I can scarcely deem it otherwise than superfluous to observe that the assembly will be in its nature diplomatic and not legislative; that nothing can be transacted there obligatory upon any one of the States to be represented at the meeting, unless with the express concurrence of its own representatives, nor even then, but subject to the ratification of its constitutional authority at home. The faith of the United States to foreign powers cannot otherwise be pledged. I shall, indeed, in the first instance, consider the assembly as merely *consultative;* and although the plenipotentiaries of the United States will be empowered to receive and refer to the consideration of their Government any proposition from the other parties to the meeting, they will be authorized to conclude nothing unless subject to the definitive sanction of this Government in all its constitutional forms. It has therefore seemed to me unnecessary to insist that every object to be discussed at the meeting should be specified with the precision of a judicial sentence or enumerated with the exactness of a mathematical demonstration. The purpose of the meeting itself is to deliberate upon the great and common *interests* of several new and neighboring nations. If the measure is new and without precedent, so is the situation of the parties to it. That the purposes of the meeting are somewhat indefinite, far from being an objection to it is among the cogent reasons for its adoption. It is not the establishment of principles of intercourse with one, but with seven or eight nations at once. That before they have had the means of exchanging ideas and communicating with one another in common upon these topics they should have definitively settled and arranged them in concert is to require that the effect should precede the cause; it is to exact as a preliminary to the meeting that for the accomplishment of which the meeting itself is designed.

Among the inquiries which were thought entitled to consideration before the determination was taken to accept the invitation was that whether the measure might not have a tendency to change the policy, hitherto invariably pursued by the United States, of avoiding all entangling alliances and all unnecessary foreign connections.

Mindful of the advice given by the father of our country in his Farewell Address, that the great rule of conduct for us in regard to foreign nations is, in extending our commercial relations, to have with them as little political connection as possible, and faithfully adhering to the spirit of that admonition, I can not overlook the reflection that the counsel of Washington in that instance, like all the counsels of wisdom, was founded upon the circumstances in which our country and the world around us were situated at the time when it was given; that the reasons assigned by him for his advice were that Europe had a set of primary interests which to us had none or a very remote relation; that hence she must be engaged in frequent controversies, the causes of which were essentially foreign to our concerns; that our *detached* and *distant* situation invited and enabled us to pursue a different course; that by our union and rapid growth, with an efficient Government, the period was not far distant when we might defy material injury from external annoyance, when we might take such an attitude as would cause our neutrality to be respected, and, with reference to belligerent nations, might choose peace or war, as our interests, guided by justice, should counsel.

Compare our situation and the circumstances of that time with those of the present day, and what, from the very words of Washington then, would be his counsels to his countrymen now? Europe has still her set of primary interests, with which we have little or a remote relation. Our distant and detached situation with reference to Europe remains the same. But we were then the only independent nation of this hemisphere, and we were surrounded by European colonies, with the greater part of which we had no more intercourse than with the inhabitants of another planet. Those colonies have now been transformed into eight independent nations, extending to our very borders, seven of them Republics like ourselves, with whom we have an immensely growing commercial, and *must* have and have already important political, connections; with reference to whom our situation is neither distant nor detached; whose political principles and systems of government, congenial with our own, must and will have an action and counteraction upon us and ours to which we can not be indifferent if we would.

The rapidity of our growth, and the consequent increase of our strength, has more than realized the anticipations of this admirable political legacy. Thirty years have nearly elapsed since it was written, and in the interval our population, our wealth, our territorial extension, our power—physical and moral—have nearly trebled. Reasoning upon this state of things from the sound and judicious principles of Washington, must we not say that the period which he predicted as then not far off has arrived; that *America* has a set of primary interests which have none or a remote relation to Europe; that the interference of Europe, therefore, in those concerns should be spontaneously withheld by her upon the same principles that we have never interfered with hers, and that if she should interfere, as she may, by measures which may have a great and dangerous recoil upon ourselves, we might be called in defense of our own altars and firesides to take an attitude which would cause our neutrality to be respected, and choose peace or war, as our interest, guided by justice, should counsel.

The acceptance of this invitation, therefore, far from conflicting with the counsel or the policy of Washington, is directly deducible from and conformable to it. Nor is it less conformable to the views of my immediate predecessor as declared in his annual message to Congress of the 2d December, 1823, to which I have already adverted, and to an important passage of which I invite the attention of the House:

> The citizens of the United States [said he] cherish sentiments the most friendly in favor of the liberty and happiness of their fellow-men on that [the European] side of the Atlantic. In the wars of the European powers in matters relating to themselves we have never taken any part, nor does it comport with our policy so to do. It is only when our rights are invaded or seriously menaced that we resent injuries or make preparation for our defense. With the movements in this hemisphere we are of necessity more immediately connected, and by causes which must be obvious to all enlightened and impartial observers. The political system of the allied powers is essentially different in this respect from that of America. This difference proceeds from that which exists in their respective Governments. And to the defense of our own, which has been achieved by the loss of so much blood and treasure, and matured by the wisdom of their most enlightened citizens, and under which we have enjoyed

> unexampled felicity, this whole nation is devoted. We owe it, therefore, to candor and to the amicable relations subsisting between the United States and those powers to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European power we have not interfered and shall not interfere; but with the Governments who have declared their independence and maintained it, and whose independence we have on great consideration and on just principles acknowledged, we could not view any interposition for the purposes of oppressing them or controlling in any other manner their destiny by any European power in any other light than as the manifestation of an unfriendly disposition toward the United States. In the war between those new Governments and Spain we declared our neutrality at the time of their recognition, and to this we have adhered and shall continue to adhere, provided no change shall occur which in the judgment of the competent authorities of this Government shall make a corresponding change on the part of the United States indispensable to their security.

To the question which may be asked, whether this meeting and the principles which may be adjusted and settled by it as rules of intercourse between the American nations may not give umbrage to the holy league of European powers or offense to Spain, it is deemed a sufficient answer that our attendance at Panama can give no *just cause* of umbrage or offense to either, and that the United States will stipulate nothing there which can give such cause. Here the right of inquiry into our purposes and measures must stop. The holy league of Europe itself was formed without inquiring of the United States whether it would or would not give umbrage to them. The fear of giving umbrage to the holy league of Europe was urged as a motive for denying to the American nations the acknowledgment of their independence. That it would be viewed by Spain as hostility to her was not only urged, but directly declared by herself. The Congress and Administration of that day consulted their rights and duties, and not their fears. Fully determined to give no needless displeasure to any foreign power, the United States can estimate the probability of their giving it only by the right which any foreign state could have to take it from their measures. Neither the representation of the United States at Panama nor any measure to which their assent may be yielded there will give to the holy league or any of its members, nor to Spain, the right to take offense; for the rest the United States must still, as heretofore, take counsel from their duties rather than their fears.

Such are the objects in which it is expected that the plenipotentiaries of the United States, when commissioned to attend the meeting at the Isthmus, will take part, and such are the motives and purposes with which the invitation of the three Republics was accepted. It was, however, as the House will perceive from the correspondence, accepted only upon condition that the nomination of commissioners for the mission should receive the advice and consent of the Senate.

The concurrence of the House to the measure by the appropriations necessary for carrying it into effect is alike subject to its free determination and indispensable to the fulfillment of the intention.

That the congress at Panama will accomplish all, or even any, of the transcendent benefits to the human race which warmed the conceptions of its first proposer it were perhaps indulging too sanguine a forecast of events to promise. It is in its nature a measure speculative and experimental. The blessing of Heaven may turn it to the account of human improvement; accidents unforeseen and mischances not to be anticipated may baffle all its high purposes and disappoint its fairest expectations. But the design is great, is benevolent, is humane.

It looks to the melioration of the condition of man. It is congenial with that spirit which prompted the declaration of our independence, which inspired the preamble of our first treaty with France, which dictated our first treaty with Prussia and the instructions under which it was negotiated, which filled the hearts and fired the souls of the immortal founders of our Revolution.

With this unrestricted exposition of the motives by which I have been governed in this transaction, as well as of the objects to be discussed and of the ends, if possible, to be attained by our representation at the proposed congress, I submit the propriety of an appropriation to the candid consideration and enlightened patriotism of the Legislature.

JOHN QUINCY ADAMS.

WASHINGTON, *March 16, 1826.*

To the Senate of the United States:

Some additional documents having relation to the objects of the mission to the congress at Panama, and received since the communication of those heretofore sent, are now transmitted to the Senate.

JOHN QUINCY ADAMS.

To the House of Representatives of the United States:

In compliance with the resolution of the House of Representatives of the 10th instant, requesting information in possession of the Government relating to certain resolves of the Congress of the Confederation of the 21st of October, 1780, and the 21st March, 1783, concerning allowances to the officers of the Revolutionary army, and to the manner of carrying into effect those resolves, and other particulars appertaining thereto, I transmit reports from the Secretaries of State, of the Treasury, and of War, with documents, comprising the information desired by the House.

MARCH 22, 1826.

JOHN QUINCY ADAMS.

WASHINGTON, *March 24, 1826.*

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives of the 14th ultimo, requesting statements of the amount of compensation allowed to the paymaster and quartermaster of the Marine Corps fo the two years preceding the 1st of January, 1826, and of other particulars relating to the same Corps, I communicate a report from the Secretary of the Navy, with documents, containing the information desired by the resolution.

JOHN QUINCY ADAMS.

WASHINGTON, *March 24, 1826.*

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives of the 16th ultimo, requesting statements of the net amount of revenue derived from imports and tonnage received by the Treasury from the ports within the bay of Delaware, the bay of Chesapeake, the harbor of New York, and at Boston from the 1st of January, 1790, to the last of December, 1825, and of the amount of expenditures paid from the Treasury for forts, light-houses, beacons, and other public works erected to aid commerce or for the purposes of defense within the said bays and harbors during the said time, I transmit herewith a report from the Secretary of the Treasury, with several documents, containing the information desired by the resolution.

JOHN QUINCY ADAMS.

WASHINGTON, *March 29, 1826.*

To the House of Representatives of the United States:

In compliance with a resolution of the House of the 27th instant, requesting a copy of such parts of the answer of the Secretary of State to Mr. Poinsett's letter to Mr. Clay, dated Mexico, 28th September, 1825, No. 22, as relates to the pledge of the United States therein mentioned; and also requesting me to inform the House whether the United States have in any manner made any pledge to the Governments of Mexico and South America that the United States would not permit the interference of any foreign power with the independence or form of government of these nations, and, if so, when, in what manner, and to what effect; and also to communicate to the House a copy of the communication from our minister at Mexico in which he informed the Government of the United States that the Mexican Government called upon this Government to fulfill the memorable pledge of the President of the United States in his message to Congress of December, 1823, I transmit to the House a report from the Secretary of State, with the documents containing the information desired by the resolution.

JOHN QUINCY ADAMS.

WASHINGTON, *March 30, 1826.*

To the Senate and House of Representatives of the United States:

By the second article of the general convention of peace, amity, navigation, and commerce between the United States and the Republic of Colombia, concluded at Bogota on 3d of October, 1824, it was stipulated that the parties engaged mutually not to grant any particular favor to other nations in respect of commerce and navigation which should not immediately become common to the other party, who should enjoy the same freely if the concession was freely made, or on allowing the same compensation if the concession was conditional. And in the third article of the same convention it was agreed that the citizens of the United States might frequent all the coasts and countries of the Republic of Colombia, and reside and trade there in all sorts of produce, manufactures, and merchandise, and should pay no other or greater duties, charges, or fees whatsoever than the most favored nation should be obliged to pay, and should enjoy all the rights, privileges, and exemptions in navigation and commerce which the most favored nations should enjoy, submitting themselves, nevertheless, to the laws, decrees, and usages there established, and to which were submitted the subjects and citizens of the most favored nations; with a reciprocal stipulation in favor of the citizens of the Republic of Colombia in the United States. Subsequently to the conclusion of this convention a treaty was negotiated between the Republic of Colombia and Great Britain, by which it was stipulated that no other or higher duties on account of tonnage, light, or harbor dues should be imposed in the ports of Colombia on British vessels than those payable in the same ports by Colombian vessels, and that the same duties should be paid on the importation into the territories of Colombia of any article the growth, produce, or manufacture of His Britannic Majesty's dominions, whether such importations should be in Colombian or in British vessels, and that the same duties should be paid and the same discount (drawbacks) and bounties allowed on the exportation of any articles the growth, produce, or manufacture of Colombia to His Britannic Majesty's dominions, whether such exportations were in Colombian or in British vessels.

The minister of the United States to the Republic of Colombia having claimed, by virtue of the second and third articles of the convention between the two Republics, that the benefit of these subsequent stipulations should be alike extended to the citizens of the United States upon the condition of reciprocity provided for by the convention, the application of those engagements was readily acceded to by the Colombian Government, and a decree was issued by the executive authority of that Republic on the 30th of January last, a copy and translation of which are herewith communicated, securing to the citizens of the United States in the Republic of Colombia the same advantages in regard to commerce and navigation which had been conceded to British subjects in the Colombian treaty with Great Britain.

It remains for the Government of the United States to secure to the citizens of the Republic of Colombia the reciprocal advantages to which they are entitled by the terms of the convention, to commence from the 30th of January last, for the accomplishment of which I invite the favorable consideration of the Legislature.

JOHN QUINCY ADAMS.

WASHINGTON, *March 31, 1826.*

To the House of Representatives of the United States:

In compliance with the resolution of the House of the 21st instant, requesting information whether any, and what, measures have been taken to improve the navigation over the sand bars in the Ohio River according to the provisions of the act of the 24th of May, 1824, to improve the navigation of the Ohio and Mississippi rivers, and also whether the experiments mentioned in the proviso to the first section of the said act have been made, and, if so, what success has attended them, I transmit herewith a report from the Secretary of War, with documents, containing the information desired by the resolution.

JOHN QUINCY ADAMS.

WASHINGTON, *March 31, 1826.*

To the Senate of the United States:

I communicate to the Senate herewith a supplementary article to the treaty with the chiefs and headmen of the Creek Nation, in behalf of that nation, which was transmitted to the Senate on the 31st of January last, and which I submit, together with and as a part of that treaty, for the constitutional advice of the Senate with regard to its ratification. A report of the Secretary of War accompanies the article, setting forth the reasons for which it has been concluded.

JOHN QUINCY ADAMS.

WASHINGTON, *April 3, 1826.*

To the House of Representatives of the United States:

In compliance with the resolution of the House of the 13th ultimo, requesting a statement of all the expenditures incident or relating to internal improvement for the years 1824 and 1825, I transmit reports from the Secretaries of the Treasury and of War, with documents, containing the statement desired.

JOHN QUINCY ADAMS.

WASHINGTON, *April 3, 1826.*

To the House of Representatives of the United States:

In compliance with a resolution of the House of the 7th ultimo, requesting information relative to the execution of an act of Congress of the 7th May, 1822, to authorize and empower the corporation of the city of Washington, in the District of Columbia, to drain the low grounds on and near the public reservations, and to improve and ornament certain parts of such reservations, I transmit herewith a report from the commissioners appointed by the corporation of the city to carry into effect the provisions of the said act, together with sundry documents, exhibiting the information desired by the resolution.

JOHN QUINCY ADAMS.

WASHINGTON, *April 5, 1826*.

To the House of Representatives of the United States:

In compliance with a resolution of the House of the 30th ultimo, I transmit to the House a report* from the Secretary of State, with the documents desired by the resolution; and also a copy of the letter from the Secretary of State to Mr. Poinsett acknowledging the receipt of his dispatch No. 22, accidentally overlooked in the answer to the resolution of the House of the 27th ultimo.

JOHN QUINCY ADAMS.

WASHINGTON, *April 11, 1826*.

To the Senate of the United States:

On the 16th of January last I sent to the Senate a nomination of Daniel Bissell to be colonel of the Second Regiment of Artillery, and on the 3d of February I received from the Secretary of the Senate an attested copy of their proceedings in relation to that nomination, laid before me by their order, and closing with a resolution in these words:

> *Resolved*, That in the opinion of the Senate Daniel Bissell is entitled to the place of colonel in the Army of the United States, taking rank as such from the 15th of August, 1812, with the brevet of brigadier-general from the 9th of March, 1814, and that the President of the United States may arrange him accordingly.

In the discharge of my own duties I am under the necessity of stating respectfully to the Senate—

First. That I can not concur in these opinions.

Secondly. That the resolution of the Senate, having on its face no reference either to the nomination or to the office for which it was made, leaves me doubtful whether it was intended by the Senate as their decision upon the nomination or not. If intended as their decision, it imports that the Senate do not advise and consent to the appointment of Daniel Bissell as colonel in the Second Regiment of Artillery. If intended as a mere expression of their opinions, superseding in their judgment the necessity of their immediate decision upon the nomination, it leaves the Senate still in possession of the nomination and free to act upon it when informed of my inability to carry those opinions into effect.

In this uncertainty I have thought it most respectful to the Senate to refer the subject again to them for their consideration. The delay in the transmission of this communication is attributable to the earnest desire which I have entertained of acceding to the opinions and complying with the wishes of the Senate, and to the long and repeated reconsideration of my own impressions with the view to make them, if possible, conform to theirs. A still higher duty now constrains me to invite their definitive decision upon the nomination.

JOHN QUINCY ADAMS.

---

* Relating to the proposed congress of the Spanish American States.

WASHINGTON, *April 15, 1826.*

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives of the 11th instant, I transmit herewith a report* of the Secretary of State, and documents, containing the information desired by the resolution.

JOHN QUINCY ADAMS.

WASHINGTON, *April 25, 1826.*

To the Senate and House of Representatives of the United States:

I now transmit to both Houses of Congress copies of a treaty with the Creek Nation of Indians, concluded on the 24th day of January last, with a supplementary article, signed on the 31st of last month, which have been, with the advice and consent of the Senate, duly ratified. I send at the same time copies of the treaty superseded by them, signed at the Indian Springs on the 12th of February, 1825. The treaty and supplementary article now ratified will require the aid of the Legislature for carrying them into effect. And I subjoin a letter from the Secretary of War, proposing an additional appropriation for the purpose of facilitating the removal of that portion of the Creek Nation which may be disposed to remove west of the Mississippi, recommending the whole subject to the favorable consideration of Congress.

JOHN QUINCY ADAMS.

WASHINGTON, *April 25, 1826.*

To the House of Representatives of the United States:

In compliance with a resolution of the House of the 4th of January last, I now transmit reports from the Secretaries of State, of the Treasury, and of War, and from the Postmaster-General, with the documents containing the list of appointments of members of Congress and other information relating thereto desired by the resolution.

JOHN QUINCY ADAMS.

WASHINGTON, *April 28, 1826.*

To the Senate of the United States:

I transmit herewith to the Senate, for their advice concerning its ratification, a general convention of friendship, commerce, and navigation between the United States and His Majesty the King of Denmark, signed by the Secretary of State and the Danish minister on the 26th instant. A copy of the convention and a note from the Secretary of State, together with Mr. Pedersen's answer, respecting the claims of the citizens of the United States upon the Danish Government, are likewise communicated.

JOHN QUINCY ADAMS.

---

*Relative to goverments to be represented at the congress at Panama.

WASHINGTON, *April 29, 1826*.

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives of the 26th instant, I transmit herewith a report from the Secretary of the Treasury, with a copy of the opinion of the Attorney-General* referred to in the resolution.

JOHN QUINCY ADAMS.

WASHINGTON, *May 9, 1826*.

To the Senate of the United States:

In compliance with a resolution of the Senate of the 28th ultimo, I transmit herewith a report from the Secretary of War, with a copy of the proceedings of the recent court-martial for the trial of Colonel Talbot Chambers, and other documents requested by the resolution or relating to the subject of it.

JOHN QUINCY ADAMS.

WASHINGTON, *May 15, 1826*.

To the Senate of the United States:

In compliance with a resolution of the Senate of the 23d of March last, requesting information concerning the official conduct of the collector and other revenue officers of the port of Philadelphia, I transmit herewith a report from the Secretary of the Treasury, with documents, containing the information desired by the resolution.

JOHN QUINCY ADAMS.

WASHINGTON, *May 16, 1826*.

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives of the 9th instant, I communicate herewith a report* from the Secretary of the Treasury, with the documents desired by the resolution.

JOHN QUINCY ADAMS.

WASHINGTON, *May 17, 1826*.

To the Senate and House of Representatives of the United States:

I communicate to both Houses of Congress copies of treaties with Indian tribes which have been, by and with the advice and consent of the Senate, duly ratified during the present session of Congress:

(1) With the Great and Little Osage tribes, concluded June 2, 1825; (2) Kansas, June 3, 1825; (3) Poncar, June 9, 1825; (4) Teton, Yancton, and Yanctonies, June 22, 1825; (5) Sioune and Ogallala, July 5 and 12, 1825; (6) Chayenne, July 6, 1825; (7) Hunkpapas, July 16, 1825;

---

* Respecting the right of a foreign minister to retain money advanced by the President as an outfit beyond the sum appropriated by law.

(8) Ricara, July 18, 1825; (9) Mandan, July 30, 1825; (10) Belantse-Etoa, or Minnetaree, July 30, 1825; (11) Crow, August 4, 1825; (12) Great and Little Osage, August 10, 1825; (13) Kansas, August 16, 1825; (14) Sioux, Chippewa, Sac and Fox, Menomenee, Ioway, Sioux, Winnebago, and a portion of the Ottawa, Chippewa, and Pottawatomie tribes, August 19, 1825; (15) Ottoe and Missouri, September 26, 1825; (16) Pawnee, September 30, 1825; (17) Maha, October 6, 1825; (18) Shawnee, November 7, 1825.

JOHN QUINCY ADAMS.

WASHINGTON, *May 19, 1826.*

To the House of Representatives of the United States:

In compliance with a resolution of the House of the 16th instant, I transmit a report* from the Secretary of State, containing the information thereby requested.

JOHN QUINCY ADAMS.

WASHINGTON, *May 20, 1826.*

To the Senate of the United States:

In compliance with a resolution of the Senate of the 5th of March, 1824, requesting copies of the several instructions to the ministers of the United States to the Government of France and of the correspondence between the said ministers and Government having reference to the spoliations committed by that power on the commerce of the United States anterior to the 30th of September, 1800, or so much thereof as can be communicated without prejudice to the public interest; also how far, if at all, the claim of indemnity from the Government of France for the spoliations aforesaid was affected by the convention entered into between the United States and France on the said 30th of September, 1800, I transmit herewith a report from the Secretary of State, with the documents desired by the resolution.

JOHN QUINCY ADAMS.

EXECUTIVE ORDER.

ADJUTANT-GENERAL'S OFFICE,
Washington, July 11, 1826.

GENERAL ORDERS.

The General in Chief has received from the Department of War the following orders:

The President with deep regret announces to the Army that it has pleased the Disposer of All Human Events, in whose hands are the issues of life, to remove from the scene of earthly existence our illustrious and venerated fellow-citizen, Thomas Jefferson.

---

* Relating to the negotiations with Great Britain for a cession of certain keys on the Bahama Banks.

This dispensation of Divine Providence, afflicting to us, but the consummation of glory to him, occurred on the 4th of the present month—on the fiftieth anniversary of that Independence the Declaration of which, emanating from his mind, at once proclaimed the birth of a free nation and offered motives of hope and consolation to the whole family of man. Sharing in the grief which every heart must feel for so heavy and afflicting a public loss, and desirous to express his high sense of the vast debt of gratitude which is due to the virtues, talents, and ever-memorable services of the illustrious deceased, the President directs that funeral honors be paid to him at all the military stations, and that the officers of the Army wear crape on the left arm, by way of mourning, for six months.

Major-General Brown will give the necessary orders for carrying into effect the foregoing directions.

J. BARBOUR.

It has become the painful duty of the Secretary of War to announce to the Army the death of another distinguished and venerated citizen. John Adams departed this life on the 4th of this month. Like his compatriot Jefferson, he aided in drawing and ably supporting the Declaration of Independence. With a prophetic eye he looked through the impending difficulties of the Revolution and foretold with what demonstrations of joy the anniversary of the birth of American freedom would be hailed. He was permitted to behold the verification of his prophecy, and died, as did Jefferson, on the day of the jubilee.

A coincidence of circumstances so wonderful gives confidence to the belief that the patriotic efforts of these illustrious men were Heaven directed, and furnishes a new seal to the hope that the prosperity of these States is under the special protection of a kind Providence.

The Secretary of War directs that the same funeral honors be paid by the Army to the memory of the deceased as by the order of the 7th [11th?] instant were directed to be paid to Thomas Jefferson, and the same token of mourning be worn.

Major-General Brown is charged with the execution of this order.

J. BARBOUR.

Never has it fallen to the lot of any commander to announce to an army such an event as now calls forth the mingled grief and astonishment of this Republic; never since History first wrote the record of time has one day thus mingled every triumphant with every tender emotion, and consecrated a nation's joy by blending it with the most sacred of sorrows.

Yes, soldiers, in one day, almost in the same hour, have two of the Founders of the Republic, the Patriarchs of Liberty, closed their services to social man, after beholding them crowned with the richest and most unlimited success. United in their end as they had been in their highest aim, their toils completed, their hopes surpassed, their honors full, and the dearest wish of their bosoms gratified in death, they closed their eyes in patriot ecstasy, amidst the gratulations and thanksgivings of a people on all, on every individual, of whom they had conferred the best of all earthly benefits.

Such men need no trophies; they ask no splendid mausolea. We are their monuments; their mausolea is their country, and her growing prosperity the amaranthine wreath that Time shall place over their dust. Well may the Genius of the Republic mourn. If she turns her eyes in one direction, she beholds the hall where Jefferson wrote the charter of her rights; if in another, she sees the city where Adams kindled the fires of the Revolution. To no period of our history, to no department of our affairs, can she direct her views and not meet the multiplied memorials of her loss and of their glory.

At the grave of such men envy dies, and party animosity blushes while she quenches her fires. If Science and Philosophy lament their enthusiastic votary in the halls of Monticello, Philanthropy and Eloquence weep with no less reason in the retirement of Quincy. And when hereafter the stranger performing his pilgrimage to the land of freedom shall ask for the monument of Jefferson, his inquiring eye may be directed to the dome of that temple of learning, the university of his native State—the last labor of his untiring mind, the latest and the favorite gift of a patriot to his country.

Bereaved yet happy America! Mourning yet highly favored country! Too happy if every son whose loss shall demand thy tears can thus soothe thy sorrow by a legacy of fame.

The Army of the United States, devoted to the service of the country, and honoring all who are alike devoted, whether in the Cabinet or the field, will feel an honorable and a melancholy pride in obeying this order. Let the officers, then, wear the badge of mourning, the poor emblem of a sorrow which words can not express, but which freemen must ever feel while contemplating the graves of the venerated Fathers of the Republic.

Tuesday succeeding the arrival of this order at each military station shall be a day of rest.

The National flag shall wave at half-mast.

At early dawn thirteen guns shall be fired, and at intervals of thirty minutes between the rising and setting sun a single cannon will be discharged, and at the close of the day twenty-four rounds.

By command of Major-General Brown :

R. JONES, *Adjutant-General.*

SECOND ANNUAL MESSAGE.

WASHINGTON, *December 5, 1826.*

Fellow-Citizens of the Senate and of the House of Representatives:

The assemblage of the representatives of our Union in both Houses of the Congress at this time occurs under circumstances calling for the renewed homage of our grateful acknowledgments to the Giver of All Good. With the exceptions incidental to the most felicitous condition of human existence, we continue to be highly favored in all the elements which contribute to individual comfort and to national prosperity. In the survey of our extensive country we have generally to observe abodes of health and regions of plenty. In our civil and political relations we have peace without and tranquillity within our borders. We are, as a people, increasing with unabated rapidity in population, wealth, and national resources, and whatever differences of opinion exist among us with regard to the mode and the means by which we shall turn the beneficence of Heaven to the improvement of our own condition, there is yet a spirit animating us all which will not suffer the bounties of Providence to be showered upon us in vain, but will receive them with grateful hearts, and apply them with unwearied hands to the advancement of the general good.

Of the subjects recommended to Congress at their last session, some were then definitively acted upon. Others, left unfinished, but partly matured, will recur to your attention without needing a renewal of notice from me. The purpose of this communication will be to present to your view the general aspect of our public affairs at this moment and the measures which have been taken to carry into effect the intentions of the Legislature as signified by the laws then and heretofore enacted.

In our intercourse with the other nations of the earth we have still the happiness of enjoying peace and a general good understanding, qualified, however, in several important instances by collisions of interest and by unsatisfied claims of justice, to the settlement of which the constitutional interposition of the legislative authority may become ultimately indispensable.

By the decease of the Emperor Alexander, of Russia, which occurred cotemporaneously with the commencement of the last session of Congress, the United States have been deprived of a long-tried, steady, and faithful friend. Born to the inheritance of absolute power and trained in the school of adversity, from which no power on earth, however absolute, is exempt, that monarch from his youth had been taught to feel the force and value of public opinion and to be sensible that the interests of his own Government would best be promoted by a frank and friendly intercourse with this Republic, as those of his people would be advanced by a liberal commercial intercourse with our country. A candid and confidential interchange of sentiments between him and the Government of the United States upon the affairs of Southern America took place at a period not long preceding his demise, and contributed to fix that course of policy which left to the other Governments of Europe no alternative but that of sooner or later recognizing the independence of our southern neighbors, of which the example had by the United States already been set. The ordinary diplomatic communications between his successor, the Emperor Nicholas, and the United States have suffered some interruption by the illness, departure, and subsequent decease of his minister residing here, who enjoyed, as he merited, the entire confidence of his new sovereign, as he had eminently responded to that of his predecessor. But we have had the most satisfactory assurances that the sentiments of the reigning Emperor toward the United States are altogether conformable to those which had so long and constantly animated his imperial brother, and we have reason to hope that they will serve to cement that harmony and good understanding between the two nations which, founded in congenial interests, can not but result in the advancement of the welfare and prosperity of both.

Our relations of commerce and navigation with France are, by the operation of the convention of 24th of June, 1822, with that nation, in a state of gradual and progressive improvement. Convinced by all our experience, no less than by the principles of fair and liberal reciprocity which the United States have constantly tendered to all the nations of the earth as the rule of commercial intercourse which they would universally prefer, that fair and equal competition is most conducive to the interests of both parties, the United States in the negotiation of that convention earnestly contended for a mutual renunciation of discriminating duties and charges in the ports of the two countries. Unable to obtain the immediate recognition of this principle in its full extent, after reducing the duties of discrimination so far as was found attainable it was agreed that at the expiration of two years from the 1st of October, 1822, when the convention was to go into effect, unless a notice of six months on either side should be given to the other that the convention itself must terminate, those duties should be reduced one-fourth, and that this reduction should be yearly repeated, until all discrimination should cease, while the convention itself should continue in force. By the effect of this stipulation three-fourths of the discriminating duties which had been levied by each party upon the vessels of the other in its ports have already been removed; and on the 1st of next October, should the convention be still in force, the remaining fourth will be discontinued. French vessels laden with French produce will be received in our ports on the same terms as our own, and ours in return will enjoy the same advantages in the ports of France.

By these approximations to an equality of duties and of charges not only has the commerce between the two countries prospered, but friendly dispositions have been on both sides encouraged and promoted. They will continue to be cherished and cultivated on the part of the United States. It would have been gratifying to have had it in my power to add that the claims upon the justice of the French Government, involving the property and the comfortable subsistence of many of our fellow-citizens, and which have been so long and so earnestly urged, were in a more promising train of adjustment than at your last meeting; but their condition remains unaltered.

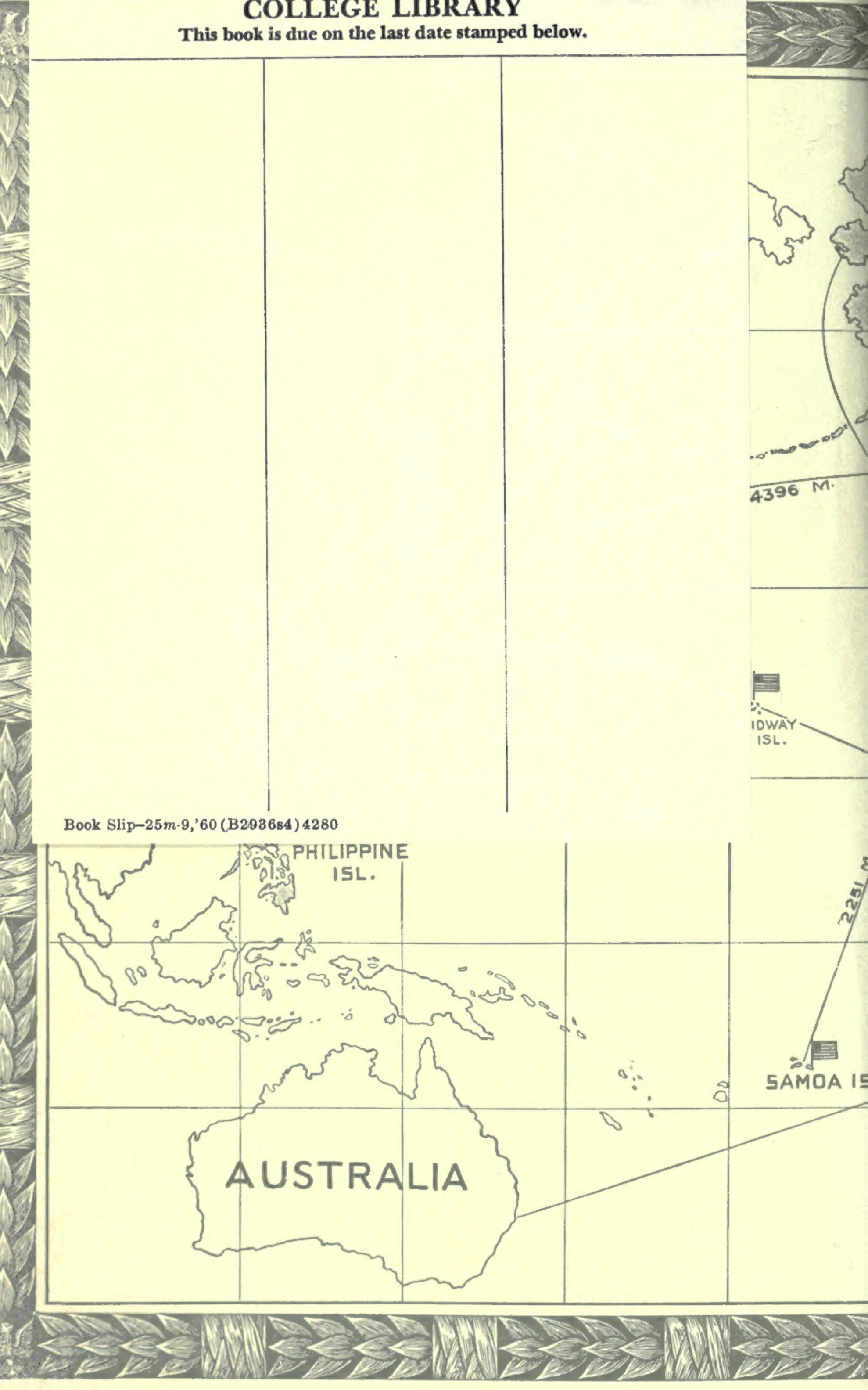
With the Government of the Netherlands the mutual abandonment of discriminating duties had been regulated by legislative acts on both sides. The act of Congress of the 20th of April, 1818, abolished all discriminating duties of impost and tonnage upon the vessels and produce of the Netherlands in the ports of the United States upon the assurance given by the Government of the Netherlands that all such duties operating against the shipping and commerce of the United States in that Kingdom had been abolished. These reciprocal regulations had continued in force several years when the discriminating principle was resumed by the Netherlands in a new and indirect form by a bounty of 10 per cent in the shape of a return of duties to their national vessels, and in which those of the United States are not permitted to participate. By the act of Congress of 7th January, 1824, all discriminating duties in the United States were again suspended, so far as related to the vessels and produce of the Netherlands, so long as the reciprocal exemption should be extended to the vessels and produce of the United States in the Netherlands. But the same act provides that in the event of a restoration of discriminating duties to operate against the shipping and commerce of the United States in any of the foreign countries referred to therein the suspension of discriminating duties in favor of the navigation of such foreign country should cease and all the provisions of the acts imposing discriminating foreign tonnage and impost duties in the United States should revive and be in full force with regard to that nation.

In the correspondence with the Government of the Netherlands upon this subject they have contended that the favor shown to their own shipping by this bounty upon their tonnage is not to be considered as a discriminating duty; but it can not be denied that it produces all the same effects. Had the mutual abolition been stipulated by treaty, such a bounty upon the national vessels could scarcely have been granted consistently with good faith. Yet as the act of Congress of 7th January, 1824, has not expressly authorized the Executive authority to determine what shall be considered as a revival of discriminating duties by a foreign government to the disadvantage of the United States, and as the retaliatory measure on our part, however just and necessary, may tend rather to that conflict of legislation which we deprecate than to that concert to which we invite all commercial nations, as most conducive to

P 1068

COLLEGE LIBRARY
This book is due on the last date stamped below.

Book Slip–25*m*-9,'60 (B2936s4) 4280


4396 M.
IDWAY
ISL.
PHILIPPINE
ISL.
2251 M
SAMOA IS
AUSTRALIA

UCLA-College Library
J 81 B97 1897 v.2
L 005 766 549 9

UC SOUTHERN REGIONAL LIBRARY FACILITY
A 001 339 394 7

CANADA
UNITED STATES
1400 M.
ISL.
4711 M.
MEXICO
PORTO RICO
ISL.
VENEZUELA
GUIANA
COLUMBIA
ECUADOR
BRAZIL
PERU
BOLIVIA
PARAGUAY
CHILE
ARGENTINA
URUGUAY